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GEORGE H. RYAN
Secretary of State

ILLINOIS REGISTER

Rules of Governmental Agencies

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq., as amended).

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Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991	June 25, 1991	July 2, 1991	28	July 12, 1991
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May 14, 1991	May 21, 1991	22	May 31, 1991	Nov. 19, 1991	Nov. 26, 1991	49	Dec. 6, 1991
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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Licensure of Alcoholism and Substance Abuse Treatment, Intervention and Research Programs

2) Code Citation: 77 Ill. Adm. Code 2058

3) Section Numbers: Proposed Action:

2058.105 Amendment
2058.110 Amendment
2058.115 Amendment
2058.130 Amendment
2058.135 Repealer
2058.200 Amendment
2058.205 Amendment
2058.220 Amendment
2058.230 Amendment
2058.303 Repealer
2058.306 Amendment
2058.309 Amendment
2058.312 Amendment
2058.315 Amendment
2058.318 Amendment
2058.321 Amendment
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NOTICE OF PROPOSED AMENDMENTS

2058.390 Amendment
2058.392 Amendment
2058.394 Amendment
2058.396 Amendment
2058.410 Amendment
2058.600 Amendment
2058.602 Amendment
2058.603 New Section
2058.630 Amendment
2058.700 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111½, ¶ 6354-1, ch. 56½, ¶s 711 and 1508 and ch. 95½, ¶ 11-501(e).

5) A Complete Description of the Subjects and Issues Involved:

Amendments are being made to correct errors that appeared in the version published February 4, 1991 and to update some citations of regulations. Amendments are being made to ease the administrative burden on and cost to the programs and facilities subject to the rules, as well as to lower the administrative burden and costs to the Department, thereby helping to comply with the Governor's cost containment measures.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons should address their written comments concerning these rules within 35 days to:

Jane Mortell, Associate General Counsel
Department of Alcoholism and Substance Abuse
State of Illinois Center
100 W. Randolph Street, Suite 5-600
Chicago, Illinois 60601

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

Written and/or oral comments may be made at a Public Hearing at Room 451 Centennial Building, Springfield IL 62756 on May 25, 1991 between 1:00 p.m. and 3:00 p.m. or at a Public Hearing at the Department's Chicago Office, 100 W. Randolph Street, Suite 5-600, Chicago, IL 60601 on June 26, 1991 from 1:00 p.m. to 3:00 p.m.

12) Initial Regulatory Flexibility Analysis:

Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:

May 9, 1991.

Types of small businesses effected:

For profit and not-for-profit individuals, corporations or other entities which are in the business of providing DUI intervention services and/or substance abuse treatment services.

Reporting, bookkeeping or other procedures required for compliance:

Reporting requirements of the current rules are not substantially changed.

Types of professional skills necessary for compliance:

Reporting requirements of the current rules are not substantially changed.

The text of the Proposed Amendment is as follows:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER d: LICENSURE

PART 2058

LICENSURE OF ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT, INTERVENTION AND RESEARCH PROGRAMS

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2058.130	Unlicensed Practice
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 2058.372 Residential Programs
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 2058.378 Halfway House Program Facilities
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 2058.382 Adult Medical Detoxification Program Facilities
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2058.600 Outpatient Program Facilities - General
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SUBPART H: COMPLAINTS/INSPECTIONS/INVESTIGATIONS

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SUBPART I: HEARINGS/SANCTIONS

Section
 2058.900 Hearings
 2058.905 Sanctions

SUBPART J: COMMITTEES

Section
 2058.1000 Special Committee on Licensure

AUTHORITY: Implementing Section 11-501 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 11-501(e)), Sections 711 and 1508 of the Illinois Controlled Substances Act (Ill. Rev. Stat. 1989, ch. 56 1/2, pars. 711 and 1508), and the Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 6351-1 et seq.) and authorized by Article IV of the Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 6354-1 et seq.).

SOURCE: Adopted at 12 Ill. Reg. 14524, effective September 6, 1988; amended at 15 Ill. Reg. 2597, effective February 4, 1991; amended at ____ Ill. Reg. ____, effective ____.

SUBPART A: GENERAL PROVISIONS

Section 2058.105 Definitions

"Acceptance of the client" in a designated program means that the client meets the criteria as set forth in Section 10-101 of the

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Alcoholism and Other Drug Dependency Act. (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6360-1) and conditions for delivery of services by the designated program.

"Act" means the Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6360-1 et seq.).

"Admission" means the process of initiating treatment services.

"Adolescent" means a person who has reached the twelfth (12th) birthday but has not yet reached the eighteenth (18th) birthday.

"Adults" are defined as persons who are eighteen (18) years of age or older.

"Assessment" means the aggregate set of services provided to treatment clients in order to determine the nature and scope of physical, emotional, behavioral and social needs.

"Authorized Prescriber" means a physician licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-1 et seq.) or a physician under Federal Authority who issues prescriptions pursuant to 21 CFR 1301.25 (1987).

"Authorized Program Representative" means the individual designated in the application by the owners or corporation to act on its behalf with regard to the provision of services under the Act.

"Client" means a person who receives treatment or intervention services. The term is synonymous with "consumer," "patient," "recipient of treatment," and "resident."

"Clinical Services" means systematic services that are designed to meet the goals set out in the client's individualized treatment plan and normally include interviewing, assessing, treatment planning, counseling, supportive services, discharge planning and aftercare.

"Controlled Substance" means a drug or substance, or immediate precursor in the Schedules of Article II of the Illinois Controlled Substances Act (Ill. Rev. Stat. 1989, ch. 56 1/2, par. 1201 et seq.).

"Discharge" means the point at which the client's involvement with a facility is terminated either by action of the client or by a

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written decision by the facility and the facility no longer maintains responsibility for the care of the client.

"Driving Under the Influence (DUI) Program" means evaluation, remedial education, or referral to treatment for persons charged with DUI of alcohol or other substances.

"Existing Facility" applies to a building in which an existing program is licensed and in place on or before June 30, 1988. Costs of remodeling or renovation of such a facility shall not exceed 50% of its replacement value. Buildings which are under construction contract on or before June 30, 1988, and which will have all construction completed by December 31, 1988, will be classified as an existing facility.

"Facility" means the building or premises, including the grounds and any satellite premises included in the license for the facility which are used for treatment, intervention or research activities programs as specified in this part.

"Halfway House Program" means a type of residential treatment program facility which provides a twenty-four (24) hour, live-in, structured, treatment environment with activities focusing on job and other independent living skills, such as managing personal finances and building social relationships.

"Incident Report" means a facility's internal document which describes an event that is likely to lead to adverse effects (severe illness, loss of life, or need for emergency medical services) or that varies from established policies and procedures pertaining to client care.

"Intake" means the aggregate set of services provided to clients in the process of admission to a treatment program or designated program facility. These include client screening and client orientation to the facility's services and requirements.

"Intensive Outpatient Program" means the provision of face to face treatment services to an individual who is experiencing a problem with alcohol or other drugs, who receives at least 15 hours per week of such services (adult) or who receives at least 9 hours per week of such services (adolescent) from the licensed facility, unless a higher minimum number of hours of service per week is required by Medicaid or 77 Ill. Adm. Code 2090, who does not receive room and board as a part of these services.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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"Intervention" means activity or services performed by DUI programs, designated programs, or BASSET programs, as set forth more specifically in Section 2058.110 and Subpart D below.

"Investigational New Drugs" are those substances which require approval by the U.S. Food and Drug Administration for trials with human subjects pursuant to 21 CFR 312 (1987).

"Medical Detoxification Program" means a type of treatment program facility which provides services and activities focusing on therapeutic procedures administered under medical supervision which relieve the severity of withdrawal from alcohol or other drugs.

"Methadone" means a synthetic narcotic analgesic drug (4,4-diphenyl-6-dimethylamino-heptanone-3-hydrochloride) which is approved by the U.S. Food and Drug Administration (FDA) for use in narcotic treatment programs for purposes of detoxifying or maintaining persons dependent on heroin or other morphine-like drugs.

"Methadone Treatment Program - Long-term Detoxification" means detoxification treatment for a period of more than thirty (30) days but not in excess of 180 days using methadone as an ancillary medical support to treatment services.

"Methadone Treatment Program - Short-term Detoxification" means detoxification treatment for a period not in excess of thirty (30) days using methadone as an ancillary medical support to treatment services.

"Methadone Treatment Program - Maintenance" means the dispensing of methadone for more than 180 days using methadone in support of the treatment of an individual for dependence on heroin or other morphine-like drugs for the purpose of suppression of opiate withdrawal symptoms without the induction of opioid intoxication and including periodic evaluation to initiate withdrawal and a return to a drug-free state.

"New Facility" means any facility applying for an initial license on or after July 1, 1988, whether newly constructed or previously existing for some other purpose. -- New Facility also applies to an existing facility in which remodeling or renovation costs are in excess of 50% of the building's replacement value.

"Outpatient Program" means the provision of face to face treatment services to an individual who is experiencing a problem with alcohol and other drugs, but who does not receive room and board as part of these services.

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"Physician" means a person who is licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987.

"Practitioner" means a physician, dentist, podiatrist, veterinarian, scientific investigator, pharmacist, licensed practical nurse, registered nurse, other person, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise permitted by the United States pursuant to 21 CFR 1301.21 (1987) or this State to distribute, dispense in accordance with Section 312 of the Illinois Controlled Substances Act, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

"Principal Scientific Investigator" means the person engaged in controlled substances research who has ultimate responsibility for the research project.

"Professional Staff" means any of the staff in a treatment program who deliver or provide intake; assessment; treatment planning; individual, group, or family counseling; discharge planning; medication dispensing; or rehabilitation services to treatment clients.

"Psychiatrist" means a physician licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987 and who meets the requirements of Section 1-121 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91 1/2, par. 1-121).

"Readmission" means the act of initiating services to an individual who previously received any prior treatment in the same facility or in another facility under the control or supervision of the entity controlling or supervising the readmitting facility. Readmission processes include all admission activities and a specific examination of prior treatment experiences.

"Research" means research done for legitimate purposes and involving the possession, dispensing, use, or administration of controlled substances, as enumerated in Articles I and II and Section 508 of Illinois Controlled Substances Act or specified in Sections 11, 15 and 15.1 of the Cannabis Control Act, Ill. Rev. Stat. 1989, ch. 56 1/2, par. 701 et seq.

"Residential Program" means a 24-hour, live-in, structured, supervised, treatment environment.

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"Residential Rehabilitation Program" means a residential treatment program facility which provides a twenty-four (24) hour, live-in environment and activities focusing on changing client behaviors and increasing client knowledge of the effects of alcohol and other drugs' use and abuse.

"Revocation" means the termination of a license by the Department.

"Satellite Facility Program" means the premises where treatment, intervention, or research activities are conducted, but where such activities are limited to less than sixteen (16) hours per week. Programs Activities conducted in a satellite facility shall be owned and operated by a facility licensed under this Part.

"Seclusion" means that the treatment client is required to remain in a part of the treatment facility that is not part of the common client areas used for daily activities, and the client is not permitted to participate in the usual activities of the facility.

"Significant Incident Report" means the documentation that a facility is required to submit to the Department in the event that a life-threatening accident or other event occurs which requires the services of the fire department, the police department, or the coroner.

"Small Facility" means the premises where a treatment activities program or programs are conducted, but where such activities are carried out by three (3) or fewer full time equivalent professional staff members.

"Social Setting Detoxification Program" means a type of residential treatment program facility which provides intake and admission services on demand and a twenty-four (24) hour, live-in environment with activities focused on crisis intervention and referral services.

"Support Staff" means the clerical, administrative, and facility management personnel who do not deliver direct services to treatment clients.

"Treatment" means a continuum of activities or services provided to persons addicted to or abusing alcohol or other drugs. Services or activities include intake; assessment; treatment planning; individual, group or family counseling; and discharge planning.

"Treatment Plan" means an individually tailored written plan for a treatment client which identifies the care and treatment to be

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provided to the client based upon an assessment of individual problems, needs, and strengths and weaknesses.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.110 Facilities Subject to Licensure

The Department of Alcoholism and Substance Abuse (the Department) shall issue licenses for the following categories of services:

- a) TYPE A: Treatment Licenses
 - 1) Treatment licenses shall be required for facilities engaged in a continuum of activities or services to persons who are addicted to or abusing alcohol or other drugs. Treatment services and activities include intake; assessment; treatment planning; individual, group or family counseling; and discharge planning. A satellite facility program owned, operated and supervised by a licensed residential or outpatient treatment program facility is not required to hold a separate license.

- 2) The Department shall issue licenses for two (2) categories of treatment as follows:

- A) TYPE A(1): Residential Treatment Programs

Facilities delivering treatment activities or services to clients and which also provide room and board for clients shall be licensed as residential treatment program facilities. A facility may apply to provide more than one type of residential program service at a single premise or location (e.g. residential rehabilitation program - adult and social setting detoxification program - adult) but shall be authorized as part of the single residential program license for that premise or location. Specific requirements for residential treatment program facilities are included in Subpart C and Subpart F of this Part, and include requirements for the following subcategories of residential treatment programs:

- i) Residential Rehabilitation Program - Adult

These treatment program facilities are licensed to provide residential treatment services for persons aged eighteen (18) years or older and shall also meet the additional requirements for adult residential rehabilitation program facilities specified in Section 2058.374. The facility may use methadone as an ancillary medication service for detoxification or withdrawal from dependence on opiates in accordance with the requirements specified in Section 2058.369.

- ii) Residential Rehabilitation Program - Adolescent

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These treatment program facilities are licensed to provide residential treatment services for persons aged twelve (12) through seventeen (17) years and shall also meet the additional requirements for adolescent residential rehabilitation program facilities specified in Section 2058.376. Exceptions will be permitted for persons aged ten (10) and eleven (11) years on an individual case basis upon approval by the Department.

iii) Halfway House Program - Adult

These treatment program facilities are licensed to provide residential treatment services for persons aged eighteen (18) years or older and shall also meet the additional requirements for adult halfway house program facilities specified in Section 2058.378.

iv) Social Setting Detoxification Program - Adult

These treatment program facilities are licensed to provide residential treatment services for persons aged eighteen (18) years or older and shall also meet the additional requirements for adult social setting detoxification program facilities specified in Section 2058.380.

v) Medical Detoxification Program - Adult

These treatment program facilities are licensed to provide residential treatment services for persons aged eighteen (18) years or older and shall also meet the additional requirements for adult medical detoxification program facilities specified in Section 2058.382. The facility may use methadone as an ancillary medication service for detoxification or withdrawal from dependence on opiates in accordance with the requirements specified in Section 2058.369.

vi) Medical Detoxification Program - Adolescent

These treatment program facilities are licensed to provide residential treatment services for persons aged twelve (12) through seventeen (17) years and shall also meet the additional requirements for adolescent medical detoxification program facilities specified in Section 2058.384. The facility may use methadone as an ancillary medication service for persons aged sixteen (16) and seventeen (17) years for detoxification from dependence on opiates in accordance with the requirements specified in Section 2058.369(b).

B) TYPE A(2): Outpatient Treatment Programs

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Facilities delivering treatment activities or services to clients and which do not provide room and board shall be licensed as outpatient treatment program facilities. A facility may apply to provide more than one type of outpatient program service at a single premise or location (e.g. outpatient program - adult and intensive outpatient program - adolescent), but all such services shall be authorized as part of the single residential outpatient treatment program license for that premise or location. Specific requirements for outpatient treatment program facilities are included in Subparts C and F of this Part, and include requirements for the following subcategories of outpatient treatment programs:

i) Outpatient Program - Adult

These treatment program facilities are licensed to provide outpatient treatment services for persons aged eighteen (18) years or older and shall also meet the additional requirements for adult outpatient program facilities specified in 2058.388. The facility may use methadone as an ancillary medication service for detoxification or withdrawal from dependence on opiates in accordance with the requirements specified in Section 2058.369(b).

ii) Outpatient Program - Adolescent

These treatment program facilities are licensed to provide outpatient treatment services for persons aged twelve (12) through seventeen (17) years and shall also meet the additional requirements for adolescent outpatient program facilities specified in Section 2058.390. Exceptions will be permitted for persons aged ten (10) and eleven (11) years on an individual case basis upon approval by the Department.

iii) Intensive Outpatient Program - Adult

These treatment program facilities are licensed to provide intensive outpatient treatment services for persons aged eighteen (18) years or older and shall also meet the additional requirements for adult intensive outpatient program facilities specified in Section 2058.392. The facility may use methadone as an ancillary medication service for detoxification or withdrawal from dependence on opiates in accordance with the requirements specified in Section 2058.369(b).

iv) Intensive Outpatient Program - Adolescent

These treatment program facilities are licensed to provide intensive outpatient treatment services for

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persons aged twelve (12) through seventeen (17) years and shall also meet the additional requirements for adolescent intensive outpatient program facilities specified in Section 2058.394.

- v) Medical Detoxification Program - Adult
These treatment program facilities are licensed to provide outpatient treatment services for persons aged eighteen (18) years or older and shall also meet the additional requirements for adult medical detoxification program facilities specified in Section 2058.396. The facility may use methadone as an ancillary medication service for detoxification or withdrawal from dependence on opiates in accordance with the requirements specified in Section 2058.369(b).

- b) TYPE B: Intervention Licenses
The Department shall issue four (4) categories of intervention licenses in accordance with the requirements specified below. A satellite facility supervised by an administrator of a licensed intervention facility is not required to hold a separate license. Such intervention licenses shall be required for facilities engaged in the following services or activities:

- 1) TYPE B(1): DUI Evaluation
Facilities evaluating persons who are charged with driving under the influence (DUI) offenses pursuant to Section 11-501 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95-1/2, par. 11-501) and who perform such evaluations for submission to the Illinois courts or the Secretary of State shall be licensed as DUI evaluation facilities. Specific requirements for these DUI evaluation facilities are included in 77 Ill. Adm. Code 2056.

- 2) TYPE B(2): Designated Program
Facilities which provide screening, assessing, referring and tracking activities and services pursuant to Article X of The Act and who carry out such activities or services as the designated program for the Department, shall be licensed as designated agent facilities. Specific requirements for these designated program facilities are included in Subparts D and F of this Part.

- 3) TYPE B(3) DUI Remedial Education
Facilities providing remedial education services to persons charged with driving under the influence (DUI) offenses pursuant to Section 11-501 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par 11-501) shall be licensed as DUI remedial education facilities. Specific requirements for these DUI remedial education facilities are included in 77 Ill. Adm. Code 2056.

- 4) TYPE B(4): Beverage Alcohol Sellers and Servers Education and Training (BASSET)
Facilities providing training services to beverage alcohol sellers and servers pursuant to the Act shall be licensed as Beverage Alcohol Sellers and Servers Education and Training (BASSET) facilities. Specific requirements for these BASSET facilities are included in 77 Ill. Adm. Code 2056.

- c) TYPE C: Research Licenses
A research license shall be required for a program using controlled substances for research as enumerated in Articles I and II and Section 508 of the Illinois Controlled Substances Act and/or as specified in Sections 11, 15, and 15.1 of the Cannabis Control Act. Specific requirements for these controlled substances research facilities are included in Subparts E and F of this Part.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)
Section 2058.115 Exception Process

- a) Facilities may request exceptions to specific Section(s) that are not statutorily mandated only where the text of the Section(s) state that exceptions are permissible as follows:

- ba) Requests for exceptions to any Section(s) which have been designated as qualifying for exception through published criteria shall be made to the Director in writing, and shall indicate the specific basis, rationale, and need for the exception.

- cb) An exception shall be granted in cases in which the Director finds that:

- 1) the licensee holder has complied with the criteria required for exception to the Section(s);
2) the provision from which the exception is granted is not statutorily mandated; and
3) the need for the exception is put forth in the request.

If a Section contains a specific exception provision, the specific provision shall control;

- dc) The Department shall revoke any exception granted where the circumstances which gave rise to the exception no longer exist. The facility shall notify the Department in writing not later than ten (10) days after the circumstances which gave rise to the exception no longer exist.

- ed) An exception to any Section(s) shall be valid only for the term of the license under which it was granted. At the point of license renewal, reapplication for the exception must be made.

Factors that the Director will consider in deciding whether or not to grant a requested exception include, but shall not be limited to, the facility's or program's client population and size, type of service or services, geographic location, and any other pertinent factors.

(SOURCE: Amended at _____ Ill. Reg. _____, effective _____.)
Section 2058.130 Unlicensed Practice

- a) Whenever the Department determines that an unlicensed person and/or program and/or other entity is engaging in activities which require licensure, the Director shall issue an order to that person and/or program and/or other entity to cease and desist from engaging in the activity. The order shall specify the particular activities which require licensure, and shall include citation of relevant Sections of the Act and this Part.
- b) The Director's order shall be accompanied by a notice which instructs the recipient that written documentation may be submitted to the Department within ten (10) days to support a claim that licensure is not required, or that the recipient is properly authorized to conduct the activities.
- c) After the ten (10) days has expired, if the Director believes that the unlicensed person is continuing to engage in activities requiring licensure, he shall refer the matter to the appropriate State's Attorney or to the Office of the Attorney General for prosecution.
- d) An employee of a facility licensed under this Part is not required to be licensed pursuant to this Part.
- e) A licensed program facility that fails to report to the Department the information about a satellite facility program it owns, operates and supervises, as required by Section 2058.700(c) of this Part is engaged in the unlicensed provision of services at such satellite location(s).

(SOURCE: Amended at _____ Ill. Reg. _____, effective _____.)
Section 2058.135 Compliance Dates (Repealed)

~~The effective date of compliance for all Sections is July 1, 1988, unless otherwise stated within the text of a Section:~~

(SOURCE: Repealed at _____ Ill. Reg. _____, effective _____.)

SUBPART B: APPLICATIONS/RENEWALS/APPLICATION FEES

Section 2058.200 License Issuance

- a) An application for a license or an application to renew a license shall be made on forms specified by the Department. The applicant shall provide any and all information requested on the application form(s).

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- b) All licenses in effect on July 1, 1988 for activities requiring licensure under this Part shall be qualified for a license under this Part provided that:

- 1) the license holder submits an application for a new license which specifies the type(s) of license(s) requested under this Part, except that an alcohol treatment facility licensed by the Department of Public Health is not required to obtain licensure from the Department until its current license expires;
 - 2) the license holder provides evidence of licensure that is similar to the license(s) requested; and
 - 3) the fees, which are required by subsection 2058.215(b), are paid.
- c) Persons and/or programs licensed in accordance with subsection 2058.200(b) above shall follow the same compliance requirements as all others under this Part.

(SOURCE: Amended at _____ Ill. Reg. _____, effective _____.)

Section 2058.205 Application Forms

- a) Application forms for facilities licensed under this Part may be obtained by writing to:

Illinois Department of Alcoholism and Substance Abuse,
100 West Randolph Street, Suite 5-600
Chicago, Illinois 60601
Attention: Regulatory Affairs Section.

Or

Illinois Department of Alcoholism and Substance Abuse
220 South College, 2nd Floor
Springfield, Illinois 62704
Attention: Regulatory Affairs Section.

- b) Application forms shall be signed and dated by the applicant, at least two (2) of the corporate officers in the case of a corporate applicant, or by all partners or associates in the case of a partnership or association applicant.

(SOURCE: Amended at _____ Ill. Reg. _____, effective _____.)

Section 2058.220 Period of Licensure

- a) Each license issued by the Department shall be effective for a period of two (2) years with the first license cycle beginning on July 1, 1988, and ending on June 30, 1990. Thereafter, licenses shall be issued for periods ending on June 30th every two years

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unless extensions are granted pursuant to subsection 2058.220(b). Routine licensure renewal site visits will occur at least every two years.

- b) Licenses for facilities which have accreditation by the Commission on Accreditation of Rehabilitation Facilities (CARF) or the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) at the point of licensure renewal, and which will remain valid for one full year from the date of license renewal, shall be granted an additional year to the term of the license free of charge. For example, a facility holding a 3-year JCAHO accreditation certificate which will be valid through June 30, 1992 may submit proof of this to DASA as part of their license renewal for July 1, 1990 and thus have their DASA license extended through June 30, 1991 at no charge. Documentation of the CARF or JCAHO accreditation shall accompany the renewal application.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.230 Verification of Application Information

- a) The Department may verify the data furnished by a facility in any application for licensure. Submission of an application carries implied consent to permit inquiry into the data furnished, in any instance when an examination of submitted information discloses an anomaly or disparity in the information in comparison to facility information on file at the Department or other data submitted by other facilities.

- b) The Department shall, either before or after the issuance of a license, request the cooperation of the State Fire Marshal, county health departments, or municipal boards of health to make investigations if the Department is unable through its own resources to ascertain compliance with this part.

- c) Upon receipt by the Department of evidence to the contrary, the Department may verify that the physical, mental and professional capability and integrity of management, control and/or ownership personnel is sufficient to assure that the applicant program can perform anticipated services with reasonable judgment, skill and safety. In determining such capability and integrity the Department may consider, but not be limited to the following:

- 1) the accuracy of materials and information maintained and/or submitted in the course of the establishment or operation of the services;
- 2) prior criminal conduct by such personnel;
- 3) prior violations of this part by such personnel;
- 4) the prior provision of substandard services by such personnel;

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- 5) competent evidence of emotional, psychological and/or physical impairment which may substantially interfere with the provision of services as licensed; and
- 6) the timeliness of responses to the Department's reasonable request(s) for information from such personnel.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

SUBPART C: TREATMENT FACILITIES

Section 2058.303 Advisory Board (Repealed)

- a) Local representation on the board of directors of licensees for treatment under this part shall be maintained; if there is no board of directors of the licensee organization, the licensee shall comply with subsection (a)(2) below:

If the licensed program is located fifty miles or more from its parent organization's principal administrative offices or from where the board sits, the organization shall either:

- 1) appoint at least one person to the board of directors who resides within fifty miles of the licensed facility so located; for each facility so located; Such members shall be full members of the board of directors; or
- 2) appoint an advisory board separate and apart from the board of directors which consists of at least one member who resides within fifty (50) miles of the licensed facility so located for each facility so located; or appoint such a separate advisory board for each facility so located, consisting of members who reside within fifty (50) miles of the facility so located. Any separate advisory board shall consist of at least five members in total.
- b) The advisory board, if a separate body, or the above-mentioned local members of the board of directors, shall be responsible for providing review and comment on the need for and types of services required for treating alcoholism and substance abuse in the geographic area(s) of the facilities operated by the organization, and on any other issues of concern in the operation of the local facility.
- c) The advisory board, if a separate body, or the board of directors with its local members, shall meet at least three times per year to discuss the issues as required by this Section.
- d) Minutes of advisory board or board of directors meetings held pursuant to the requirements of this Section shall be kept and shall include the following:
 - 1) the date of the meeting;
 - 2) the names of members who attended;

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- 3) at one meeting each year; a record of the review and approval of the licensed facility's professional services plan and quality assurance system;
- 4) any decisions reached and actions taken; and
- 5) the reports of the authorized program representative and others;
- 6) Compliance date for all standards in this Section --- January 1, 1991;
- e) The advisory board members and above mentioned local members of the board of directors shall have no direct or indirect material financial interest in the organization; -- Advisory board members shall comply with conflict of interest provisions as set forth in the General Not-For-Profit Corporation Act of 1986 (Ill. Rev. Stat. 1989, ch. 32, par. 1408-66);

(SOURCE: Repealed at _____ Ill. Reg. _____, effective _____.)

Section 2058.306 Plan for Professional Services

- a) Each licensed facility shall prepare and implement a written plan for professional services which includes an annual services plan and a professional staff plan.
- b) The plan for professional services shall be reviewed at least annually by the authorized program representative, shall be revised as necessary, and shall be reviewed, signed and dated by the board of directors annually. or the advisory board as required in subsection 2058.303(d)(3):
- 1) There shall be documentation that the facility has considered findings from the quality assurance system in reviewing the plan.
 - 2) There shall be documentation that the results of the review of the plan for professional services are made available to staff.
- c) The annual services plan shall include the following:
- 1) a description of all of the services and activities offered by the facility, including those services required by this Subpart for the type of license held by the facility;
 - 2) a delineation of the qualifications of professional and support staff assigned to provide each of the services and activities described in subsection (c)(1) above;
 - 3) an estimate of the number of clients to be served during the year;
 - 4) a delineation of the number and types of professional staff needed to provide services and activities for the estimated client load; and

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- 5) a description of the services or activities which use volunteers.
- d) The professional staff plan shall include the following:
- 1) a description and chart showing the professional staff organization which assigns lines of authority and supervision; and
 - 2) staff growth and development activities which shall be provided for administrative, professional, and support staff to improve staff capability to implement the facility's plan for professional services.
- e) In implementing the plan for professional services, the facility shall include the following:
- 1) professional and support staff to implement the annual services plan;
 - 2) documentation that professional staff meet all federal, state, and local requirements for licensing, registration or certification, including provisions for staff operating within professions with protected titles;
 - 3) documentation that all professional staff are qualified in accordance with the requirements of the annual services plan to perform their assigned treatment responsibilities;
 - 4) documentation that orientation and training programs have been provided for all employees;
 - A) orientation programs shall be completed not later than the 30th day of employment;
 - B) orientation programs shall include the specific duties assigned to the employee, procedures for handling incidents and emergencies, and familiarization with existing staff backup and support systems;
 - 5) documentation of the participation of administrative, professional, and support staff in staff development and in-service training programs;
 - 6) documentation that staff development is under the direction of a designated professional staff member who may delegate responsibility for any part of the staff development activities;
 - 7) documentation that staff development activities include opportunities to participate in education programs outside the facility, such as workshops, institutes, formal continuing education courses, and local and national certification;
 - 8) documentation that the facility has written personnel procedures approved by the owner(s) or the authorized program representative.
- f) Personnel procedures shall apply to all full and part-time employees and shall include:
- 1) procedures for recruiting, selecting, promoting and terminating staff;
 - 2) procedures for verifying applicant or employee information;

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- 3) procedures for protecting the privacy of personnel records;
- 4) procedures for performance appraisals, and review and update of job descriptions for all positions in the facility;
- 5) procedures for disciplinary action, including suspension and termination;
- 6) procedures for employee grievances;
- 7) procedures for on the job accident and/or injury, including handling of emergencies;
- 8) relationships with employee organizations;
- 9) procedures for handling instances of {suspected or confirmed} client abuse and/or neglect by staff, whether paid or volunteer;
- 10) procedures for handling instances of {suspected or confirmed} alcohol and other drug use and abuse by staff;
- 11) hiring professional staff with a felony conviction or subsequent incarceration within the two years prior to employment. Request for exception to this requirement must be made in writing to the Department indicating the individual concerned, the job designation, and skills offered. Such exceptions are to be signed by the owner(s), the governing body designee, or the authorized program representative;
- 12) documentation that the personnel procedures, and any changes in procedures, have been distributed to employees and are available on request;
- 13) documentation of the name, address, and telephone number of the employee, the employee's social security number; name, address, and phone number of next of kin; resume and evidence of qualifications, documentation of training and continuing education received while employed by the facility, professional certification, current licensing and/or registration, if applicable, dates of employment and separation from the facility; and,
- 14) a requirement that professional staff shall be at least eighteen (18) years of age.
- 15) documentation of background checks through the Department of Children and Family Services to determine that an employee in an adolescent residential program facility has not been the perpetrator in an indicated child abuse or neglect report, as authorized by Section 11.1 of the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1989, ch. 23, par. 2061.1).
- g) There shall be documentation that all personnel procedures have been reviewed and approved at least once each year by the owner(s) or the governing body, and dated when reviewed or revised.
- h) A staff member shall be assigned to coordinate the volunteer services program, if volunteers are used in the facility. The volunteer coordinator shall document the name, address and telephone number of each volunteer and the name, telephone number

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and relationship to the volunteer of the person to be contacted in case of an emergency. The volunteer coordinator shall provide an orientation to:

- 1) the facility's plan for professional services;
 - 2) the responsibility for maintaining client confidentiality;
 - 3) procedures for responding to unusual events and incidents; and
 - 4) assignment of each volunteer to specific duties;
 - 5) procedures for on the job accident and/or injury, including handling of emergencies; and
 - 6) procedures for handling instances of suspected or confirmed alcohol and other drug use and abuse by paid and volunteer staff.
- i) Exceptions -to-subsections -(d); -(e); -(f); -(g); -and -(h) -may-be requested-where-the-facility-is-part-of-a-larger-organization-and-these-procedures-and-requirements-are-maintained-for-the-larger-organizational-entity;
- j) Compliance-date-for-this-Section---July-17-1989.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.309 Quality Assurance System

- a) The facility shall establish and maintain a quality assurance system which contains the following components:
 - 1) a facility and program evaluation which measures the facility's performance against the criteria set by the facility in the plan for professional services;
 - 2) a utilization review system which analyzes the facility's policies and practices in admissions, readmissions, length of stay, and criteria for denying admission; and
 - 3) requirements for periodic client care monitoring meetings which examine selected individual client care and services provided in accordance with subsection (i).
- b) The facility and program evaluation shall measure the levels and types of services delivered and the performance of the facility against the established plan for professional services and shall be completed for the following required services:
 - 1) intake services;
 - 2) assessment services;
 - 3) treatment planning;
 - 4) counseling services;
 - 5) discharge planning;
 - 6) emergency services; and
 - 7) referral or consultation services.
- c) If any of the services listed below are included in the facility's plan for professional services, the facility evaluation shall also include:

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- 1) rehabilitation services;
- 2) medication dispensary services; and
- 3) food services.
- d) The facility and program evaluation shall be completed annually and its findings incorporated as part of the factual basis for the subsequent year's plan for professional services (Section 2058.306(c)).
- e) The facility shall designate the individual(s) responsible for completing the facility and program evaluation.
- f) Compliance date for the facility evaluation--July 1, 1990:
The utilization review system shall include reviewing the facility policies listed below, testing a sample of cases to measure that these policies are carried out in actual practice in the facility, and making recommendations for changes in the following:
 - 1) client admission criteria;
 - 2) length of stay norms and variances;
 - 3) exclusionary admission criteria;
 - 4) referral procedures for persons denied admission;
 - 5) readmission criteria; and
 - 6) discharge criteria.
- g) The activities and procedures used in the facility's utilization review system shall also include the following requirements:
 - 1) a delineation of the staff participating in the utilization review; system (the utilization review committee);
 - 2) conflict of interest policies which preclude address the problems inherent in small programs where professional staff cannot always avoid from reviewing their own cases;
 - 3) assurance of client confidentiality and privacy;
 - 4) requirement that notice of all admissions be sent to the open to review utilization review committee;
 - 5) specifications of the sampling methodology to be used in selecting cases for review by the utilization review committee; assuring a statistically valid representative sample of all persons seeking admission to each licensed program (such sampling shall be randomly selected, shall consist of at least 15% of all persons seeking admission to each program, but no less than 5 cases and no more than 20 cases from each program); and
 - 6) issuance of a report of findings of the utilization review system committee at least once every six months which is available to all professional staff.
- h) The facility shall conduct client care monitoring activities which include the review of a sample of treatment and other services provided and which include a review of the following:
 - 1) unresolved diagnoses;
 - 2) unimproved clients;
 - 3) treatment failures and complications in treatment;

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- 4) use of special treatment procedures;
- 5) use of experimental or investigational drugs;
- 6) medication usage; and
- 7) client care incidents or emergencies.
- i) The facility shall maintain written requirements for client care monitoring meetings activities which include:
 - 1) a requirement that such meetings are held client care monitoring occurs at least quarterly;
 - 2) the sampling method for selecting cases for review assuring a statistically valid representative sample of cases as described in subsection (a)(5);
 - 3) the participants in the meeting; and or staff who may conduct client care monitoring activities;
 - 4) records documenting the results of client care monitoring activities. the meeting;
- j) Client care monitoring meetings shall not include information concerning or a review of any Human Immunodeficiency Virus (HIV) and/or AIDS related services provided to any identified client, except that participation in risk reduction education and/or other HIV or AIDS related education provided to all clients may be reviewed.
- k) Client care monitoring meetings may be held performed in conjunction with treatment plan reviews, if the treatment plan review includes participation of more than one professional staff member. Compliance date for client care monitoring activities--July 1, 1989.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.312 Client Rights

- a) Each program facility shall have a written statement which describes the following rights of clients admitted for treatment:
 - 1) access to treatment will not be denied on the basis of race, religion, or ethnicity. For facilities receiving federal or State support or assistance in any form, this statement shall also include handicapping conditions;
 - 2) all treatment services offered in the facility will be available regardless of the source(s) of financial support;
 - 3) treatment will be provided in the least restrictive environment; available;
 - 4) each client will have and, on request will have access to, a current individual treatment plan;
 - 5) the confidentiality of clinical records is protected by federal and state statutes as well as by program policy;
 - 6) the client has a right to refuse treatment or any specific treatment procedure and a right to be informed of the

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consequences resulting from a refusal of treatment or of a treatment procedure;

- 7) a description of the route of appeal available when a client disagrees with a facility's decision, policies, or procedures; and

8) the rights regarding confidentiality of HIV/AIDS status and testing as set forth in Section 2058.319.

- b) Residential program facilities may impose restrictions on the privacy, movement, or communications of individual clients or a group of clients within the limitations set forth below:

1) When a restriction(s) of privacy, movement, or communication is imposed on an individual, and is not imposed on all clients in a group of persons to which the client belongs (e.g. new admissions), the following procedures shall apply:

- A) the client shall be informed of this restriction(s);
 B) the restriction(s) shall be noted in the individual client record, and the reasons for the restriction(s).
 C) the restriction(s) shall be reviewed and so noted in the client's record by a supervisory professional staff member at least every three days.

D) the client shall be informed of his/her right to an explanation of the restriction(s) and her/his right and route of appeal.

2) When a restriction(s) of privacy, movement, or communication is imposed upon all clients or a group of clients:

- A) the restriction shall be included in the facility's written procedures; and
 B) the description of the restriction(s) shall include a reason for the policy or procedure.

c) A written copy of the statement which describes the rights of the client shall be given to each client at intake. The client will attest by signature that she/he has received a copy of the statement of client rights.

d) The statement of client rights shall be posted in an area(s) accessible to clients at all times when services are being offered.

e) The client shall be informed of all elements in the statement of client rights in a language which she/he understands.

f) When medications are prescribed, the statement shall state that the client has the right, to the extent permitted by law, to refuse specific medications.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.315 Client Records

- a) The program facility shall maintain a written client record on each client.

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1) All client records shall be protected by a secure system, either in a secure room, locked cabinets, safe or similar container for hard copy records, or in computer records where access is limited.

2) All entries in the client record shall be signed and dated.

3) Records maintained on computer systems shall qualify as written records. However, records requiring signature must be maintained in hard copy.

4) Client records on computer database shall have a back-up system to safeguard the records in the event of operator or equipment failure.

5) Client records on a computer database must include a record of entry into the database and the name of the person making the entry.

6) Client records on computer database must be secure from inadvertent or unauthorized access.

b) The client record shall document the client's intake, assessment, counseling, progress notes, other services provided by the facility, and/or discharge summary.

c) The client record shall document all services performed at intake including:

1) documentation that the client has had benefit of full disclosure on levels and types of available services as outlined in Section 2058.312.

2) documentation that the client and the client's family have been informed of their rights.

A) In family treatment, the client record shall contain documentation that all treatment participants are informed of their rights.

B) If a separate record is established on family member(s) of the client in treatment, this record shall contain the same information required of treatment clients.

3) The client record shall contain documentation of the consent of the client, or, if family members will participate in treatment, family members, or guardians for admission, treatment, evaluation, aftercare, or research.

4) The client record shall contain identifying data recorded on facility-standardized form(s) which include the following:

- A) name;
 B) home address;
 C) home telephone number;
 D) date of birth;
 E) sex;
 F) race or ethnic origin;
 G) handicapping conditions;
 H) information on persons to be notified in the event of an emergency;

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- I) education;
- J) religion;
- K) marital status;
- L) type and place of employment;
- M) date of admission to the facility;
- N) legal status, such as charges and convictions;
- O) date the information was gathered; and
- P) signature of the staff member gathering the information.
- d) The client record shall provide documentation of services performed at assessment.
- 1) The client record shall contain documentation of any medical or psychological diagnosis(es) and other client assessment findings; and
- 2) the record shall contain reports of laboratory and/or other diagnostic procedures and reports of medical services when performed.
- e) The client record shall provide documentation of services performed in treatment planning.
- f) Treatment plans shall be signed and dated by the client.
- g) The client record shall provide documentation of services performed in treatment.
- 1) The client record shall contain reports of all medical services.
- 2) The client record shall provide progress notes for the review and evaluation of the treatment provided to the client including individual, group, or family therapy and any rehabilitation services provided.
- 3) The client record shall document the results of the treatment plan review.
- 4) The client record shall contain correspondence concerning the client's treatment and signed and dated notations of telephone calls concerning the client's treatment.
- h) The client record shall document services performed at discharge.
- 1) A discharge summary shall be entered in the client record by the professional staff person assigned to maintain the treatment plan within 15 days following discharge.
- 2) The client record shall contain a notation of the reason for discharge and a plan for aftercare, unless the client left the facility prior to developing such a plan.
- 3) If a client dies, a summation statement describing the circumstances leading to death shall be entered in the record in the form of a discharge summary.
- i) The client record shall document unexpected events, regardless of when they occur in the course of treatment including:
- 1) treatment complications;
- 2) accidents or injuries to the client;
- 3) illness; and

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- 4) procedures that place the client at risk of bodily harm or cause severe pain.
- j) The client records shall be maintained, controlled, and supervised by a designated staff member.
- 1) The designated staff member shall at least annually, review the client record system and, assure that the data and format of the client records meet the requirements of the annual services plan and the quality assurance system. If a licensed program at any time is determined by the Department to be out of compliance with this Section, the Department may, without a hearing and upon written notice to the program stating the nature of the non-compliance, require the program to secure, within a set time period, the consultative assistance of a registered record administrator or an accredited records technician who has successfully completed the examination requirements of the American Medical Records Association, 919 North Michigan, Suite 1400, Chicago, Illinois, 60611, (1990). The imposition of this requirement does not preclude the initiation of a formal action to sanction the license for such non-compliance. Non-compliance with such notice and written requirement shall be a violation of this subsection. Compliance date--July 1, 1990.
- 2) Client records shall be kept in the facility where the client is being treated and shall be directly accessible to the professional staff providing services to the client except that information which identifies the Human Immunodeficiency Virus (HIV) status of the client must be maintained in a separate, secured record which is accessible to the facility pursuant to Section 9 of the AIDS Confidentiality Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7309).
- 3) Data in the client record shall be used in training, research, the plan for professional services and quality assurance systems, provided that such data is collected in accordance with confidentiality guidelines.
- k) Client records shall be maintained by a program for at least three years after discharge of the client, and for no longer than seven years.
- (SOURCE: Amended at Ill. Reg. _____, effective _____.)
- Section 2058.318 Confidentiality - Alcohol and Drug Abuse Patient Information
- a) The licensee shall have written policies and procedures controlling access to records and information which is governed by the Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR 2 (1987)) of the Alcohol, Drug Abuse, and Mental Health

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Administration of the Public Health Service of the United States Department of Health and Human Services effective August 10, 1987, which is incorporated herein by reference, and Section 8-102 of the Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6358.2). Said policies and procedures shall be consistent with said regulations and statutes. The licensee shall comply with said regulations and statutes.

b) This Section shall not prohibit:

- 1) disclosure of information about a crime committed by a patient at the program, or a threat to commit such crime;
 - 2) disclosure of information about suspected child abuse or neglect, as allowed by, required by and consistent with state law;
 - 3) disclosure of a patient's own records to the patient, or as consented in writing by the patient;
 - 4) communications of information between or among personnel having a need for the information in connection with their duties either within the program or between the program and an entity having direct administrative control over the program;
 - 5) disclosure of information to medical personnel if necessary in a medical emergency;
 - 6) disclosure of information as authorized by an appropriate court order upon showing of good cause, after appropriate procedure and notice, and with appropriate safeguards against unauthorized disclosure contained in the order (as set forth in 42 CFR 2.61-2.67, (1987));
 - 7) disclosure of information to qualified personnel for the purpose of conducting scientific research (as set forth in 42 CFR 2.52, (1987));
 - 8) disclosure of information to qualified personnel who are authorized by law or who provide financial assistance for the purpose of conducting audit or evaluation activity (programmatic review or evaluation, quality review, financial or management audits, etc. (as set forth in 42 CFR 2.53, (1987))); and
 - 9) any other disclosure not precluded by the regulations and statute cited in subsection (a) above, nor by any other applicable law; provided that any and all of the above disclosure is done consistent with the regulations and laws in subsection (a) above, is made only to the extent allowed, for the purposes allowed and that appropriate safeguards as required therein are provided.
- c) The licensee shall provide continuing training for all staff and specific orientation for all new personnel in the principles of confidentiality and privacy, and shall document such training.

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- d) The licensee shall maintain files, records and information which are subject to the laws and rules cited in subsection (a) above, in a secure room, locked file cabinet, safe or other similar container when not in use.
- e) When a licensee stores client data in electronic or other types of automated information systems, security measures shall prevent inadvertent or unauthorized access to such data.
- f) Records, which are to be disposed of, shall be burned or deleted from electronic or automated systems or shredded to assure the confidentiality of client information.
- g) Except as authorized by an appropriate court order granted pursuant to the regulations and statute in subsection (a) above, no record referred to by said laws may be used to initiate or substantiate any charges against a patient or to conduct any investigation of a patient.
- h) The prohibitions of this Section apply to records concerning any individual who has been a client, regardless of whether or when he/she ceases to be a client.
- i) When the Department requests records or information which is subject to the regulations and statute in subsection (a) above for audit, evaluation, research or other authorized purpose from a program which is subject to licensure herein, it shall:
 - 1) indicate the purpose for obtaining the information,
 - 2) agree in writing to maintain the information in accordance with security requirements of said laws,
 - 3) agree in writing to comply with limitations on disclosure in said laws,
 - 4) agree in writing to destroy all the information upon completion of its use, and
 - 5) indicate the authorized personnel to whom such information is to be submitted.

(SOURCE: Amended at Ill. Reg., effective .)

Section 2058.321 Medical Responsibility

- a) Medical Director
 - 1) The facility shall designate a medical director who is licensed in Illinois to practice medicine in all its branches. The medical director may be part-time or serve on a consulting basis.
 - 2) The medical director shall:
 - A) oversee all medical standards and procedures in the program including those for medical history, medical assessment, physical examinations, medical referrals, and medication of clients; and

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- B) prescribe procedures to manage medical and psychiatric emergencies.

3) ~~Compliance date for subsection (a) --- duty 17-1989;~~

b) Medical Services

Each facility shall develop medical procedures which include the following:

1) Admission Procedures

- A) Within 24 hours of admission a medical history will be completed by staff as authorized by the medical director.
- B) If the initial medical history is not taken by a physician, within 72 hours of admission a physician will review the medical history of the client by phone or in person when the program's physician approved policies indicate that such review is necessary and determine whether a physical examination is necessary. In residential program facilities a physical examination shall be done unless the client provides documentation of an examination done within seven days prior to admission, sufficient under the protocols of the medical director, and the protocols so allow. Social setting detoxification program facilities and small facilities which provide outpatient program services, may request exception from this 72 hour deadline requirement, provided however, that each client will be offered a referral for a physical examination and the medical director requests such an exception. The exception request shall document referral protocols established by the medical director.

C) ~~if the examining physician deems it necessary, laboratory exams will be completed by the facility or through referral.~~

- B) ~~C~~ The medical director or other facility physician shall review every medical history and medical assessment within one (1) week in residential program facilities for those clients who remain in the facility and who are not receiving medication; within two (2) weeks in outpatient program facilities for those clients who are not receiving medication; within 72 hours in residential and outpatient program facilities where medication has been prescribed and has been verified by phone with the prescribing physician.

E) ~~D~~ A client shall be referred for medical, surgical, or psychiatric treatment, or laboratory services, as determined necessary by the medical director or other facility physician. ~~Compliance --- date --- for --- subsection 2058-321(b) --- duty 17-1989;~~

- 2) Program Service Agreement with Hospitals

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A formal written agreement shall exist between the program and a licensed hospital(s) or medical center(s) in the community for the provision of emergency medical services for clients.

- c) Nursing Services
- 1) ~~the facility's plan for professional services shall provide for the availability of professional nursing services to clients who require such services.~~
- 2) When nursing services are provided, a registered nurse plans, assigns, supervises, and evaluates nursing care. ~~(Compliance date for subsection (c) --- duty 17-1989;~~

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.324 Medication Dispensary Services

a) General

When included in the facility's plan for professional services, the facility shall provide medication dispensary services to meet the needs of clients, in accordance with the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 400-1 et seq.); the Pharmacy Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 4121 et seq.); The Illinois Controlled Substances Act (Ill. Rev. Stat. 1989, ch. 56 1/2, par. 1101 et seq.); the Poison Prevention Packaging Act (15 U.S.C. 1471 et seq.); 16 CFR 1700.14; and rules and regulations of the U.S. Drug Enforcement Administration (21 CFR 1301.71-1301.76, 1304, and 1307.2 (1989)).

b) ~~in implementing medication dispensary services, the facility shall assure the following:~~

- 1) ~~the administration or dispensing of prescription drugs or controlled substances shall be performed by practitioners;~~
- 2) ~~medication orders shall be written only by the facility's authorized prescriber;~~
- 3) ~~medications administered, medication errors, and adverse drug reactions shall be documented in the client record:~~
- A) ~~telephone orders for prescribed medication shall be accepted and written in the client record only by staff authorized by the medical director;~~
- B) ~~telephone orders for prescribed medication shall be signed by the facility's authorized prescriber on the next regular working day, but in all events within 72 hours;~~
- C) ~~A written order signed by the facility's authorized prescriber shall be included in the client record;~~
- 4) ~~The client and, when determined by the facility that the client needs assistance or supervision, the family shall be instructed about which medications, if any, are to be administered at home;~~

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- 5) Controlled Substances-Medication
 the-dispensing-and-labeling-of-controlled-substances-shall-be
 in-accordance-with-rules-and-regulations-of-the-U.S.-Drug
 Enforcement-Administration-(21-CFR-1306-(1987))-and-Sections
 22-and-25-of-the-Pharmacy-Practice-Act-of-1987-(111-Rev.
 Stat-1987-ch-111-par-4142-and-4145)-
 If-the-facility-dispenses-or-administers-methadone--the
 following-additional-requirements-apply:
 A) no-individual--authorized-prescriber--practitioner;
 or-dispense-methadone-unless-the-medical-director-is-a
 physician-licensed-to-practice-medicine-in-Illinois
 pursuant-to-the-Medical-Practice-Act-of-1987-(111-Rev.
 Stat-1987-ch-111-par-4400-1-et-seq)-and-has-prior
 approval-by-the-U.S.-Food-and-Drug-Administration;
 B) the-facility---authorized---prescriber---assumes
 responsibility-for-the-amounts-of-methadone-administered
 or-dispensed--and-all-changes-in-dosage-schedule-shall-be
 recorded-and-signed-by-the-licensed-practitioner;
 C) no-dose-shall-be-administered-or-dispensed-until-the
 client-has-been-identified-and-the-dosage-compared-with
 the-currently-ordered-and-documented-dosage-level;
 D) ingestion-of-methadone-shall-be-observed-by-the-qualified
 person--authorized--to-administer-or-dispense--the
 medication;
 E) only-oral-liquid-methadone-is-to-be-administered-or
 dispensed;
 F) take-home-bottles-shall-contain-individual-doses-and
 shall-be-labeled-with-the-facility's-name-address-and
 telephone-number-and-the-client's-identification-number
 or-name;
 G) take-home-medications--must--be--packaged--in--special
 child-proof-packaging-as-required-by-36-CFR-1700-14
 (1987)-in-accordance-with-the-Poison-Prevention-Packaging
 Act-(15-U.S.C.-1471-et-seq)-to-reduce-the-changes-of
 accidental-ingestion;
 H) the-individual-dose-of-methadone-shall-not-exceed-100-mg
 for-take-home-medication--and
 I) security-shall-be-maintained-over-the-name-in-which
 methadone--is--administered--or--dispensed--to--prevent
 disclosure-of-the-client.
- eb) Exceptions for Take-home Medications - Methadone
 i) Programs-shall-submit-a-Schedule-H-form-to-be-Department-for
 all-take-home-medication-in-excess-of-approved-schedules-and
 dosage-limits-as-described-in-21-CFR-291-505-(1987)-
 Programs shall follow the Food and Drug Administration (FDA)
 requirements as set forth at 21 CFR 291.505 (1989) for all

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- take home medication. Programs shall obtain prior written
 approval from the Department for exceptions as referenced in
 21 CFR 505 (1989) and where the exception calls for more than
 a three (3) day take home supply of methadone. The
 Department's Schedule H form shall be utilized for all
 exceptions that require prior written approval from the
 Department.
- 2) Programs-shall-request-exceptions-in-writing-at-least-five
 working-days-before-the-effective-date-of-the-request-
 Exceptions-shall-be-submitted-and-approved-by-telephone-with
 the-written-request-to-fellow-within-five-(5)-working-days
 when-the-client-failed-to-notify-the-facility-of-his/her-need
 for-an-exception-in-time-to-submit-the-request-in-writing.
- 2) A program shall maintain documentation of each exception it
 grants in the client record. Such documentation shall
 include, but need not be limited to the following:
 A) the circumstances that made the exception necessary;
 B) the date(s) and location(s) involved;
 C) the methadone dosage involved; and
 D) the name, title and signature of the staff person who
 granted the exception.
- 3) Said documentation shall be available for review and
 verification by Department staff.
- 3) the-Department-is-approved-Schedule-H-form-will-be-utilized-in
 all-requests-for-exception.
- 3) Programs shall forward to the Department on the first day of
 each month a log listing all exception granted during the
 previous month.
- dc) Program Facilities which permit administration or dispensing of
 client-owned medications shall comply with following:
 1) clients shall surrender all medications on admission to the
 facility;
 2) medications brought into the facility by clients shall not be
 administered unless they can be absolutely identified and
 unless written orders to administer these specific drugs are
 given by the facility's authorized prescriber and are con-
 firmed in writing in the client record;
 3) self-administration of medication shall be permitted only when
 specifically ordered by the facility's authorized prescriber;
 4) the self-administration of medication shall document the date,
 time, and dosage of all medications issued;
 5) in those cases where clients are unable to self-medicate,
 medication shall be dispensed or administered only by a
 practitioner. Facilities may request exemption from these
 requirements provided that an alternate protocol for handling
 client-owned medications is submitted and that the protocol is
 approved by the medical director.

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- 6) If the drugs that the client brings to the facility are not to be used, they are packaged, sealed, and stored, and, if approved by the facility's authorized prescriber, they are returned to the client, family, or significant others at the time of discharge.
- ed) Security of Drug Stocks
- 1) Controlled Substances
- Security shall be maintained over controlled substances in accordance with the rules of the U.S. Drug Enforcement Administration (21 CFR 1301.71 - 1301.76 (1987 9)).
- 2) Methadone
- A) Security standards shall be maintained over methadone provide for physical measures in accordance with 21 CFR 1301.72 (1987 9).
- B) A maximum of seven (7) operating days supply of methadone may be retained on hand, unless specific exception to exceed is issued by the Department.
- C) Access to methadone storage areas shall be limited to:
- i) practitioners authorized by the facility's medical director and by the Department;
- ii) required security system maintenance personnel when under escort scrutiny by an authorized dispenser; and
- iii) investigators, compliance officers, or auditors of the Department during the performance of their official duties when accompanied by an authorized practitioner.
- B) Transport of Methadone
- Transport of methadone to and from the licensed premises or to another location for any reason, other than in the form of individual take home dosages in the hands of the prescribed client, shall be accomplished by bonded service or armed private security contractor licensed pursuant to the Private Detective, Private Alarm, and Private Security Act of 1983 (Ill. Rev. Stat. 1987, ch. 117, par. 265i et seq.). The following exceptions are allowed:
- i) practitioners may transport up to a maximum 7-day supply of methadone in prepared dosages for delivery to clients unable to present themselves to the clinic; and
- ii) Department investigators may transport controlled substances for sample purposes or in the case of seizure.
- fe) Medication Methadone Accounting Records
- i) Controlled Substances
- A) The facility shall have specific methods for accounting for controlled substances inventory in accordance with

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- U.S. Drug Enforcement Administration rules (21 CFR 1304 (1987 9)).
- B) Immediately upon discovery of theft, loss, or inability to account for controlled substances inventory, the facility is required to submit a report to the U.S. Drug Enforcement Administration in accordance with (21 CFR 1301.74(e) (1987 9)). The issuance of a significant incident report to the Department is also required.
- 2) Methadone
- A) All facilities using methadone shall utilize medication accounting forms supplied by the Department. These forms shall be completed, signed and forwarded to the Department on a weekly basis.
- B) All facilities using methadone shall utilize Department provided triplicate medication logs for dispensing methadone. These logs are official prescription forms which shall be signed by the facility's authorized prescriber and forwarded to this Department on a weekly basis.
- g) Storage of Medication
- i) If the drugs that the client brings to the facility are not to be used, they are packaged, sealed, and stored, and, if approved by the facility's authorized prescriber, they are returned to the client, family, or significant others at the time of discharge.
- 2) Current dating on drug stock bottles shall be verified prior to dispensing any medication to clients. Outdated drug stocks shall be removed from the dispensing area and should be disposed of as outlined in subsection 2058.324(h).
- hf) Disposal of Medication Inventories
- i) Disposal of non-controlled substances shall be performed in accordance with applicable State and Federal laws.
- 2) Disposal of controlled substances shall be in accordance with U.S. Drug Enforcement Administration rules under (21 CFR 1307.2 (1987 9)).

(SOURCE: Amended at Ill. Reg. , effective .)

Section 2058.327 Intake

- a) The facility shall have intake services which include screening and orientation activities.
- b) Written policies and procedures governing the intake process shall include the following:
- 1) the criteria for admission to the facility;
 - 2) the screening procedures for all applicants for admission;
 - 3) the procedures for client orientation to the program;

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- 4) the information to be obtained on all applicants for admission;
 - 5) the records to be kept on all applicants for admission including data needed to accommodate clients with handicapping conditions;
 - 6) the procedures to be followed including alternative referrals, when an applicant is found ineligible for admission; and
 - 7) the statistical data to be obtained during the intake process.
- c) Criteria for determining the eligibility of individuals for admission shall be stated in writing and available to all applicants or referrals for admission.
- d) Acceptance of a client for treatment shall be based on screening activities that result in the following conclusions (for residential program clients the screening and conclusions must be completed within 72 hours of the client's initial arrival at the facility):
- 1) the treatment required by the client is appropriate to the intensity and restrictions of care provided by the facility or program component;
 - 2) the treatment required can be appropriately provided by the facility; and
 - 3) the alternatives for less intensive and restrictive treatment are not available.
- e) Client orientation activities shall include the following:
- 1) a description of client rights as required in Section 2058.32 12;
 - 2) the nature and goals of the treatment program as well as procedures, and treatment that he/she will receive;
 - 3) an introduction to the professional staff member(s) who serves as the primary contact with the facility for the client;
 - 4) the hours during which services are available;
 - 5) the risks, side effects, and benefits of all medications and treatment procedures used, especially those that are experimental;
 - 6) the alternative treatment procedures that are available in the facility;
 - 7) the cost, itemized when possible, of services to be rendered;
 - 8) any limitations placed on duration of services;
 - 9) the rules and regulations of the facility applicable to the client's conduct; and
 - 10) the discharge plan.
- f) A written, dated, and signed informed consent form shall be obtained from the client, or the client's legal guardian, for use or performance of the following activities. Such consent shall be obtained from family members who also participate.
- 1) experimental medications;
 - 2) hazardous on experimental assessment procedures;

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- 3) recording on audiovisual equipment;
 - 4) participation of the client in research projects; or
 - 5) testing for Human Immunodeficiency Virus (HIV).
- g) The intake procedure shall include an initial assessment of the client and shall be performed by professional staff.
- h) Sufficient information shall be collected during the intake process to develop a preliminary treatment plan.

(SOURCE: Amended at ___ Ill. Reg. ___, effective ___.)

Section 2058.330 Assessment

- a) The facility or program shall be responsible for conducting a complete clinical assessment of each client.
- 1) The assessment shall include an examination of physical, emotional and behavioral, social, and, when the facility provides such services, recreational, legal, vocational, and nutritional client needs. Assessment shall be completed within 1514 days of the client's admission to the facility. (amended date--July-17-1989);
 - 2) The program facility shall have written assessment protocols which establish minimum routine physical health assessment procedures, and routine laboratory procedures. In establishing the necessity for and extent of routine admission and laboratory studies, cost benefit factors shall be considered.
 - 3) Consideration of an individual client's needs shall include a determination of the type and extent of any special examinations, tests, or evaluations necessary for a complete assessment. Where special examinations, tests, or evaluations are necessary these services shall be provided by the facility or through referral.
- b) The program facility shall have a written procedure approved by the medical director concerning physical examinations.
- 1) The steps employed in determining the need for a physical examination shall include the following:
 - A) reviewing when the client was last treated by a physician and when a physical examination was last performed;
 - B) determining whether the client is aware of the presence of any medical problem; and
 - C) determining what, if any, medication the client is taking.
 - 2) A physician shall make the final determination concerning the necessity for a physical examination in accordance with the requirements specified in Section 2058.321(b)(1)(B).
 - 3) If a physical examination or laboratory test(s) is determined to be necessary, the results of the examination or test(s)

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shall be documented in the client record and there shall be documentation to verify that the examination or test(s) is obtained during the client's present course of treatment, either directly by the facility or through referral.

- c) If a client is pregnant, or states that she believes that she may be pregnant, referral for appropriate services shall be arranged and shall be documented in the client's record.
- d) Program facilities shall document that a decision concerning the need to perform a physical examination or laboratory test(s) was made prior to finalizing each client's treatment plan.
- e) A physical health assessment shall be completed within 72 hours after admission and shall include the following:

- 1) a medical history;
 - 2) an alcohol and drug history; and
 - 3) a determination of a client's risk for HIV infection. If any documentation or record of a client's risk for HIV infection is maintained, it shall be treated as strictly confidential and be maintained pursuant to Section 2058.319.
 - 4) ~~Compliance-date-of-subsection-(e)(3)---July 17, 1989.~~
- f) In residential program facilities serving adolescents, the physical health assessment shall include the above cited minimums and evaluations of the following:
- 1) motor development and functioning;
 - 2) speech, hearing, and language functioning; and
 - 3) visual functioning.
 - 4) ~~Compliance-date-for-all-standards-within-subsection-(f)---July 17, 1989.~~

- g) The program facility shall have a written plan designed to refer clients to health care providers for ~~assure the provision of~~ necessary physical examinations and laboratory test(s) when such services are not directly provided by the facility, and where primary health care is not available, shall advise clients of any resources which may be able to address a part of their need (e.g., the health department and public aid for Medicaid eligibility and which would increase access to medical care).

- h) An emotional and behavioral assessment of each client shall be completed and entered in the client record.

- 1) The emotional and behavioral assessment includes the following:

- A) an assessment procedure for the early detection of mental health problems that are life-threatening, are indicative of severe personality disorganization or deterioration, or may seriously affect the treatment or rehabilitation process,

- B) a history of previous emotional or behavioral problems and treatment;

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- C) the client's current emotional and behavioral functioning; and
- D) a history of prior treatment for alcoholism or other drug dependency or abuse.
- 2) Written assessment protocols shall establish criteria for direct psychiatric examination, psychological assessments and other functional evaluations of language, self-care, social, affective, and visual-motor functioning, if included in the facility's plan for professional services.

- 3) In program facilities serving adolescents, the emotional and behavioral assessment shall include evaluation of the developmental age factors of the client.

- 4) In facilities serving the severely and chronically disabled, the emotional and behavioral assessment shall include identification of the range of community resources currently utilized by the client.

- i) A social assessment of each client shall be completed and shall include information on the following:

- 1) environment and home;
- 2) religion;
- 3) childhood history;
- 4) military service history;
- 5) financial status;
- 6) the social, peer group, and environmental setting from which the client comes;
- 7) the client's family circumstances, including the constellation of the family group; the current living situation; and social, ethnic, cultural, emotional, and health factors, including drug and alcohol use in the family or usual living situation; and

- 8) a determination of the need for participation of family members or significant others in the client's treatment.

- 9) ~~Compliance-date-for-all-standards-within-subsection 2058-338(f)---July 17, 1989.~~

- j) A legal assessment of the client shall be completed including information on pending criminal charges or conditions of probation or parole.

- k) If a vocational or educational assessment of the client is undertaken, the assessment shall include the following:

- 1) vocational history; and
- 2) educational history, including academic and vocational training.

- 3) ~~Compliance-date-for-all-standards-within-subsection-(k)---July 17, 1989.~~

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

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Section 2058.333 Treatment Plans

- a) For each client there shall be a written, individualized treatment plan that is based on an assessment of the client's clinical needs and functional strengths and limitations. Such plans shall be signed and dated by a member of the professional staff.
- b) Development and implementation of the treatment plan shall be assigned to a member of the professional staff.
- c) The treatment plan shall be developed as clinical information becomes available. The initial treatment plan shall be formulated within fifteen-(15) fourteen (14) days of admission. Therapeutic efforts may begin before a fully developed treatment plan is finalized.
- d) Provision shall be made for periodic assessment by the assigned primary professional staff person of the treatment plan and for revisions of the individualized treatment plan based on changes in the client's condition. Treatment plan review shall include reading the plan and writing notes on the plan to indicate what has been achieved. This review does not require physician sign-off (unless required by Medicaid). The review must be signed and dated by the assigned primary professional staff person and the client. The treatment plan shall be reviewed during each client's treatment course. These review times include:
- 1) the time of admission, transfer, and discharge;
 - 2) a change in the level of client functioning such as, but not limited to, when treatment plan objectives are met or new problems or needs are identified;
 - 3) the end of the estimated length of treatment and thereafter on the revised estimate of additional length of treatment;
 - 4) every ten (10) counseling contact visits or every three (3) months of outpatient care, whichever comes first; or
 - 5) every thirty (30) days of residential care.
- e) The treatment plan shall include referrals for needed services that are not provided directly by the facility.
- f) The treatment plan shall contain specific objectives that relate to goals for the client, are written in measurable terms, and include expected achievement dates within the time frame of the client's participation in the program. The treatment plan shall include AIDS risk reduction counseling and education services.
- g) The treatment plan shall describe the services, activities, referrals, and consultations planned for the client and shall specify the staff member(s) assigned to work with the client.
- h) The treatment plan shall specify the frequency of treatment activities and services.
- i) The treatment plan shall delineate the specific criteria to be met for termination of treatment.

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- j) The client shall participate in the development of his or her treatment plan, and such participation shall be documented in the client record and shall include the client's dated signature.
- k) A specific plan for involving the family or significant others shall be included in the treatment plan.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.336 Progress Notes

- a) Progress notes shall reference the client's treatment plan, they shall be entered in the client record and shall include the following:
- 1) documentation-of-implementation-of-the-treatment-plan;
 - 2) documentation of all counseling and other services rendered to the client;
 - 3) chronological documentation of the client's clinical course;
 - 4) descriptions of each change in each of the client's conditions; and
 - 5) descriptions of the response of the client to treatment(s), the outcome of treatment, and the response of significant others to events in the course of treatment.
- b) Progress notes shall be dated and signed in ink by the individual providing the service to the client and making the entry. Such notes shall be made by personnel identified by the program's plan for professional services to perform such services for the client.
- c) All entries involving subjective interpretation of the client's progress shall be supplemented with a description of the actual behavior observed.
- d) Efforts shall be made to secure written progress reports for clients receiving services from outside sources, i.e., written or documented telephone request. When available, client records from outside sources shall be included in the client record.
- e) Progress notes shall be used as the basis for reviewing treatment plans.
- f) The results of any case review which describes the client's progress toward stated goals and objectives shall be recorded.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.342 Infection Control

- a) In all outpatient programs where staff collect urine or come in contact with body fluids, and in any outpatient program where the medical director determines that there is a need for such, and in all residential programs, a system shall be maintained for reporting, evaluating, and maintaining records of infectious

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- diseases among clients and personnel, and shall specify assignment of staff responsibility for ongoing collection and analysis of data as well as change in procedures. Data collected shall be reviewed at least once annually and the results of the review included in the facility's quality assurance system. Such system shall be in compliance with Section 2058.319 HIV confidentiality requirements.
- b) Infection control shall include procedures and requirements for handling body fluids and waste in accordance with guidelines issued by the U.S. Centers for Disease Control (Guidelines for Prevention of Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Health-Care and Public-Safety Workers. MMWR 1989; 38 (no. S-6)).
- c) All new employees in such programs shall be instructed in the importance of infection control and personal hygiene, in their responsibilities in the infection control program, and in the guidelines in subsection (b) above within 30 days of employment. The facility shall maintain documentation that such in-service training has been provided to all employees within 30 days.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.343 HIV Infection and AIDS Related Training

- a) Each licensee shall require that each and every staff member (whether professional, administrative or support staff, whether he administers direct or indirect services and whether he is a full or part time employee or independent contractor), shall be trained on the fundamentals of HIV infection and AIDS in a method as provided and/or approved by the Department. Training for direct service personnel shall be completed and documented within six (6) months of the date that this Part is published, by July 1, 1991 and for other personnel by July 1, 1992. Therefore after, any and all new personnel shall receive the training herein within a reasonable period of time after employment one year of their date of hire. Within 30 days of employment, however, such new employees shall be provided with initial orientation to the issues herein, and with a training plan to meet the requirements herein.
- b) To be approved by the Department training shall include but need not be limited to must consist of the following elements:
- 1) the etiology and transmission of HIV infection and associated risk behaviors;
 - 2) symptomatology and clinical progression of HIV infection and AIDS;
 - 3) prevention of transmission, or risk reduction;
 - 4) the purpose, uses and meaning of available testing and test results; and

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- 5) the confidentiality issues as set forth in Section 2058.319. The elements shall be tailored to the duties of the staff member receiving training. Treatment and direct service personnel shall receive at least 16 hours of such training. Managerial and administrative staff shall receive at least 20 hours of such training. All other personnel shall receive at least one hour of such training.
- c) The personnel file of each such staff member shall contain documentation of compliance with this Section including the title, date(s) and location(s) of the training attended and the signature (with date) of the staff member who attended the training.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.348 Food Services

- a) Facilities that provide 24-hour care, or that provide meals to clients, shall have a written plan for the provision of food services, which describes either the organization of the food service and the delivery of food services or the arrangements for the provision of such services to clients.
- b) If food services are provided by an outside company, the contract between the facility and the company shall require the company to comply with the facility's written plan and with the standards required by this Section.
- c) In implementing the food service plan and procedures, the facility shall include the following:
- 1) delineation of the responsibilities and authority of the cook(s) and the food service staff;
 - 2) the recording of special dietetic orders or the need for dietetic counseling in the client record;
 - 3) standards for nutritional care in evaluating the nutritional adequacy of the client's diet and in ordering diet supplements;
 - 4) procedures for altering diets or diet schedules as well as for discontinuing diets;
 - 5) procedures for the forwarding of diet information of a client upon discharge or transfer to another facility when the diet was ordered by a facility physician;
 - 6) requirements for ancillary food services, including food storage and preparation in kitchens or client units, vending operations, and ice making;
 - 7) the maintenance of safe and sanitary conditions in the preparation and handling of food, the care and cleaning of equipment and work areas, and the washing of dishes; and
 - 8) requirements for food purchasing, storage, preparation, and service.

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- d) The nutritional aspects of client care shall be under the direction of the qualified dietitian or other person(s) who are supervised by the qualified dietitian.
- e) At least one qualified dietitian shall be employed on a full-time, part-time, or consultative basis.
- 1) The qualified dietitian shall be registered or eligible for registration by the Commission on Dietetic Registration or have the documented equivalent in education, training, and/or experience.
 - 2) When a qualified dietitian is employed on a part-time or consultative basis, the dietitian shall devote time to:
 - A) direct the nutritional aspects of client care;
 - B) assure that dietetic instructions are carried out;
 - C) on occasion, supervise the serving of meals; and
 - D) assist in the evaluation of the food service.
 - 3) When a qualified dietitian is employed on a consultative basis, written reports shall be submitted at least once each calendar quarter on the services provided by the dietitian.
 - f) Space, equipment, and supplies, as well as any necessary written procedures and precautions, shall be provided for the safe and sanitary operation of the food service and the safe and sanitary handling and distribution of food.
 - 1) All walk-in refrigerators and freezers, whether or not they shall be used, shall be capable of being opened from the inside.
 - 2) Hot and cold water pipes, water heaters, refrigerators, compressors, condensing units, and uncontrolled heat-producing equipment shall be insulated.
 - 3) The role of the food service staff in the program's internal and external disaster plan shall be defined. ~~(Compliance-date --July-17-1990).~~
 - 4) All food supplies shall be stored in an area separate from that in which non-food supplies are stored. "Area" shall be construed to mean shelf or other space and not necessarily a room.
 - 5) The health requirements for clients assigned to the food service for therapeutic or vocational purposes shall be the same as for food service employees, as set forth in 77 Ill. Adm. Code 750.
 - 6) Plastic ware, china, glassware, or similar items that have lost their glaze or are chipped or cracked shall be discarded.
 - 7) Dishwashing and utensil washing equipment and techniques that sanitize serviceware and prevent contamination shall be used.
 - g) In residential program facilities, unless medically contraindicated, between meal or bedtime snacks and beverages of nourishing quality, e.g. fruits and nuts, shall be available.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.351 Emergency Services

- a) The program facility shall have a written plan delineating the manner in which emergency client care services are provided, either by the facility or through clearly defined arrangements with another facility or both.
- b) All detoxification treatment program facilities shall have a written plan for providing emergency care and services for clients which includes the following:
 - 1) the facility staff who are available and authorized to provide necessary emergency evaluations or triage;
 - 2) the facility staff who are authorized to arrange for clients to be referred or transferred to another facility when necessary;
 - 3) the arrangements the facility has made for exchanging records with the outside facility when it is necessary for the care of the client;
 - 4) the location of the outside facility and the names of the appropriate personnel to contact;
 - 5) the method of communication between the two facilities;
 - 6) the arrangements the facility has made for transporting clients, when necessary, to the outside facility providing emergency services;
 - 7) the requirements for referring clients needing continued care after emergency services back to the referring facility; and
 - 8) procedures concerning notification of the client's family of emergencies and referrals or transfers to another facility.
- c) All other licensed treatment program facilities shall have a written plan for providing emergency care and services for clients which includes the following:
 - 1) the facility staff who are available and authorized to provide necessary emergency evaluation or triage;
 - 2) the facility staff who are authorized to arrange for clients to be referred or transferred to an outside facility such as a hospital; and
 - 3) procedures concerning notification of the client's family of emergencies and transfers to another facility.
- d) Emergency service plans shall be available to all professional staff.
- e) As part of the program facility's quality assurance system, the quality and appropriateness of client care provided by the emergency service shall be monitored and evaluated, and identified problems resolved.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

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Section 2058.354 Referrals and Consultation

a) The program facility shall have written policies and procedures for referral of clients between the facility and other service providers in the community describing the conditions under which referrals can be made including;

- 1) requirement for obtaining written consent from the client for transfer of appropriate portions of the case record based upon the judgment of the clinical staff, and for reporting back to the referring program regarding treatment activities if such information is requested in conformance with confidentiality requirements specified in Section 2058.318 of this Part; the methods by which continuity of care is assured for the client, including:

- A) information on the reason for the referral;
- B) information on the client's treatment (e.g., current treatment, diagnostic assessments, and special requirements);
- C) services needed or requested;
- D) request for continued coordination between the referring and the receiving resource; and
- E) request for a follow-up report within a designated time period.

3) The written policies and procedures shall describe the mechanism by which a client may request a referral; (compliance date - July 1, 1990).

b) The program facility shall have letters of agreement or contracts with the community service providers it uses more than once each month.

c) The program facility shall have written policies and procedures for referral of clients between other services offered by the facility or the parent organization of the facility describing the conditions under which referrals can be made, including:

- 1) requirement for obtaining written consent where needed to assure compliance with confidentiality provisions specified in Sections 2058.318 and 2058.319 of this Part;
- 2) methods for transfer of client information necessary for the referral or consultation;
- 3) requirements for a follow-up report within a designated time period; and
- 4) the mechanism by which a client may request a referral.

5) Compliance-date-for-all-standards-under-subsection-(e)---July 17-1989.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.357 Special Treatment Procedures

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a) Special treatment procedures shall include, the following:

- 1) the use of seclusion;
 - 2) the use of investigational new drugs as defined by the U.S. Food and Drug Administration;
 - 3) the prescribing and administering of drugs that are known to the medical director to involve a substantial risk to the client or to be associated with undesirable side effects, such as lithium carbonate; and
 - 4) research activities or projects that involve risk to the client as defined in Section 2058.360.
- b) The rationale for using special treatment procedures shall be clearly stated in the client record.
- c) The client behavior and any other indicators for the use of special treatment procedures shall be documented in the client record.
- d) The program facility shall have written policies and procedures that limit the use of seclusion, including:

- 1) each written order for seclusion shall be time limited and shall not exceed 24 hours;
- 2) seclusion shall be utilized by members of the facility's professional staff as defined in the plan for professional services.

3) all uses of seclusion shall be reported daily to the head of the professional staff or his or her designee;

4) the head of the professional staff or his or her designee shall review daily all uses of or seclusion and shall include his or her written review in the client record; and

5) a client in seclusion shall be viewed every fifteen (15) minutes and special attention given regarding regular meals, bathing, and use of the toilet and there is documentation in the client record that such attention was given to the client.

e) The program facility shall have written policies and procedures that shall govern the use of unusual medications and investigational new drugs, including:

- 1) investigational new drugs shall be reviewed before use by an Institutional Review Board as specified in Section 45 CFR 46 (1987);

2) investigational new drugs shall be used only under the direct supervision of the principal investigator and with the approval of a physician member of the professional staff;

3) the written informed consent of the client (or his or her parent(s) or legal guardian(s) depending on legal status) in the client's native language or in a language that the client can understand for the use of investigational new drugs shall be obtained and made part of the client record;

4) the client (or his or her parent(s) or legal guardian(s), depending on legal status) may withdraw consent at any time; and

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- 5) the denial or withdrawal of consent to take investigational new drugs shall not be cause for denying or altering services for the client.
- f) The program facility shall have written policies and procedures that govern the prescribing and administering of drugs that are known to the medical director to involve a substantial risk or be associated with undesirable side effects, such as lithium carbonate. Such drugs shall be prescribed and administered only when the following criteria are met:
- 1) a physician has reviewed the client record and has recorded the reasons for prescribing the drug(s) in the client record; and
 - 2) prior to the prescribing or administration of the drug, the client and, the client's parent(s) or guardian depending on legal status, are informed orally and in the client's native language or in a language that the client can understand of the benefits and hazards of the drug.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.360 Human Research Projects

When a program facility or program conducts or participates in research with human subjects, policies and procedures shall be designed and written to assure that such projects or activities are conducted in accordance with standards set forth by the U.S. Department of Health and Human Services at 45 CFR 46 (1987).

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.363 Rehabilitation Services

- a) In the event that the program facility's plan for professional services includes rehabilitation services, these rehabilitation services shall include one or more of the following:

- 1) activity services, including physical, social, cultural, or recreational activities. {compliance date---July-17-1998?}
- 2) facilities shall provide or make arrangements for the provision of education services to meet the needs of all clients aged twenty-one (21) and under who are not handicapped and have not received a high school diploma. Where the client has been identified as handicapped in accordance with Section 10-20.12 of The School Code (Ill. Rev. Stat. 19879, ch. 122, par. 10-20.12), services must be provided or arrangements made for the provision of such services through the twenty-first birthday.

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- A) Facilities providing educational services directly must provide these services in accordance with The School Code (Ill. Rev. Stat. 19879, ch. 122, par. 1-1 et seq.) and 23 Ill. Adm. Code 226.
- B) Facilities providing educational services by referral or through cooperative agreements shall make such arrangements with schools complying with Section 10-20.12 of The School Code.
- 3) Counseling on specific vocational needs, vocational strengths and weaknesses, demands of current or future jobs, responsibilities for holding a job, and the problems related to vocational training, placement, and employment.
- b) In implementing one or more of the components of the program facility's rehabilitation service, the facility will insure that:
- 1) vehicles used for transportation shall not be labeled in a manner that reveals that the client is enrolled in treatment;
 - 2) activity, educational, or vocational services are included in the facility's quality assurance system;
 - 3) activity, educational, or vocational services offered shall be consistent with the client's individualized treatment plan; and
 - 4) the client record shall include a record of activity, educational or vocational services including dates and descriptions of the services.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.366 Toxicology

a) General

Any licensee under this Part which performs blood or urinalysis testing shall obtain licensing in accordance with the standards established by the Illinois Department of Public Health under the Illinois Clinical Laboratory Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 621-101 et seq., as amended), and the Illinois Clinical Laboratories Code. Further, it must obtain prior written approval from the Department before such operation. The Department, pursuant to interagency agreement with the Department of Public Health, shall determine facilities within their jurisdiction which are "designated agencies" for the purposes of the Illinois Clinical Laboratories Code (77 Ill. Adm. Code 450).

b) Facilities-that-Dispense-Methadone

- 1) Each--licensed--facility--which--dispenses--or--administers methadone--and--which--subcontracts--through--the--Department--for--toxicology--testing--services--shall--develop--procedures--for--the collection, monitoring, storage, processing, screening, and

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frequency-of-testing-urine-specimens-for-toxicological-analysis-as-specified-by-the-Department:

- 2) Screening of specimens under subsection -(b)(1) above shall include the following tests:

- A) opiates
- B) methadone
- C) amphetamines
- D) benzoylcegonine
- E) barbiturates
- F) benzodiazepines
- G) phencyclidine-(PCP)
- H) marijuana

- 3) The required frequency of specimen collection and testing for all other facilities using methadone as an adjunct to treatment shall be the same as those required by the U.S.-Food and Drug Administration at 21-CFR-291-(1987):

Designated Program

- 1) The designated program which subcontracts through the Department for toxicology testing services shall develop procedures for the collection, monitoring, storage, processing, screening, and frequency of testing urine specimens for toxicological analysis as specified by the Department.

- 2) Screening of specimens under subsection -(c)(1) above shall include the following drugs:

- A) opiates
- B) methadone
- C) amphetamines
- D) benzoylcegonine
- E) barbiturates
- F) benzodiazepines
- G) phencyclidine-(PCP)
- H) marijuana

All-Other Programs

All other licensed facilities which, through a Department subcontracting agreement, provide toxicological testing of client urine specimens, shall develop procedures for the collection, monitoring, storage, processing, screening, frequency of testing urine specimens, and listing of the type(s) of drugs screened as required by the Department:

Record-keeping

Each licensee which provides toxicology testing under subcontract with the Department or as a designated agency, shall report statistics regarding such testing on forms or in a format as required by the Department, and within time frames as required by the Department:

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

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Section 2056.369 Use of Methadone

- a) The use of methadone in the treatment of opioid addiction in hospitals shall be in accordance with the Rules and Regulations of the U.S.-Food and Drug Administration (21-CFR-291-(1987)).
- ba) Program facilities licensed under this Part and using methadone in the treatment of opioid addiction shall comply with the provisions of the proposed Rules and Regulations of the U.S.-Food and Drug Administration (21 CFR 291.505 (1989) October 27, 1987), except that no client shall receive more than a three-day take home supply of medication without a specific written exemption from the Department.
- cb) In addition, all licensed methadone programs are required to obtain assign a DASA's Automated Reporting and Tracking Systems (D.A.R.T.S) identification number or an individual identification (Client-Oriented Data Acquisition Process-(COBAP)-number obtain the social security number provided by this Department, for each of its clients. This number is to be used in all circumstances requiring client identification; i.e., medication logs, take-home bottles, exception requests, and general correspondence. Facilities are prohibited from issuing their own identification numbers for clients receiving methadone.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.372 Residential Programs

The following requirements shall apply to all types of residential treatment programs:

- a) Residential treatment programs shall provide professional staff who are on duty and awake at all times, 24 hours per day, seven days per week.
- b) In mixed use facilities, such as facilities where a social setting detoxification service program and a halfway house service program share the same facility, staff may be shared, but the most stringent staffing requirements shall prevail.
- c) Each residential program facility serving disabled clients or clients whose mobility is limited shall have a written evacuation plan for people who are hearing impaired, visually impaired, use wheelchairs, or need assistance in moving about the facility.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.374 Adult Residential Rehabilitation Adult Programs

- a) Residential rehabilitation treatment programs serving adults shall provide for a minimum of 25 hours per week of clinical services to

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clients in addition to the staffing requirements shown in Section 2058.372.

- b) Residential rehabilitation treatment programs serving adults shall be permitted to admit clients who are aged sixteen (16) and seventeen (17) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to older clients, such as the client's experience in independent living. Separate sleeping areas or bedrooms shall be provided for these adolescents.
- e) Compliance-date-for-Section-2058-374---July-17-1990:

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.376 Adolescent Residential Rehabilitation Adolescent Programs

- a) Residential rehabilitation treatment programs serving adolescents shall provide for a minimum of 25 hours per week of clinical services to clients in addition to the staffing requirements shown in Section 2058.372.

- b) At least one full time staff member or equivalent of the facility program's professional staff shall have specific training in child development, including a minimum of fifteen (15) college credit hours in courses related to the topic.

- c) Residential rehabilitation treatment programs serving adolescents shall be permitted to admit clients who are aged eighteen (18), and nineteen (19), and twenty (20) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to younger clients, such as the client's lack of experience in independent living.

- d) If the adolescent residential rehabilitation program facility admits both male and female clients, then the facility program shall provide both male and female staff on duty at all times.

- e) Compliance-date-for-Section-2058-376---July-17-1990:

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.378 Halfway House Program Facilities

- a) Halfway house program facilities may substitute clients who have been in residence in the facility without relapse for at least three (3) months for not more than one-half of the requirements for awake, on-duty staff 24 hours per day, seven days per week.

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- b) Halfway house program facilities serving adults shall be permitted to admit clients who are aged seventeen (17) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to older clients, such as the client's experience in independent living.
- e) Compliance-date-for-Section-2058-378---July-17-1990:

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.380 Social Setting Detoxification Program Facilities

- a) Social setting detoxification program facilities shall provide for at least two staff persons who are on duty and awake at all times, 24 hours per day, seven days per week.

- b) Social setting detoxification program facilities shall be permitted to admit clients who are aged seventeen (17) years provided that the results of the client screening activities required under subsection 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to older clients, such as the client's experience in independent living.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.382 Adult Medical Detoxification Program Facilities

- a) Medical detoxification program facilities serving adults shall provide for at least two staff persons who are on duty and awake at all times, 24 hours per day, seven days per week. One of these staff must be a registered medical professional such as a registered nurse, emergency medical technician, or physician.

- b) Medical detoxification program facilities serving adults shall be permitted to admit clients who are aged seventeen (17) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to older clients, such as the client's experience in independent living.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.384 Adolescent Medical Detoxification Program Facilities

- a) Medical detoxification program facilities serving adolescents shall provide for at least two staff persons who are on duty and awake at

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all times, 24 hours per day, seven days per week. One of these staff must be a medical professional such as a registered nurse, emergency medical technician, or physician.

- b) Medical detoxification program facilities serving adults shall be permitted to admit clients who are aged eighteen (18) and nineteen (19) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to younger clients, such as the client's lack of experience in independent living.
- c) If the medical detoxification program facility serving adolescents admits both male and female clients, then the facility shall provide both male and female staff on duty at all times.
- d) At least one full time staff member or equivalent of the medical detoxification program facility professional staff shall have specific training in child development, including a minimum of fifteen (15) college credit hours in courses related to the topic.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.386 Outpatient Programs

The following requirements shall apply to all types of outpatient treatment programs:

- a) Outpatient treatment programs shall provide staff who are on duty during all published hours of facility services and during all times when clients are present in the facility.
- b) In mixed use facilities, such as facilities where an adolescent outpatient program and an intensive outpatient service program for adults share the same facility, staff may be shared, but the most stringent staffing requirements shall prevail.
- c) Each outpatient program facility serving disabled clients or clients whose mobility is limited shall have a written evacuation plan for people who are hearing impaired, visually impaired, use wheelchairs or need assistance in moving about the facility

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.388 Adult Outpatient Program Facilities

Outpatient program facilities serving adults shall be permitted to admit clients who are aged sixteen (16) and seventeen (17) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to older clients, such as the client's experience in independent living. Outpatient programs may provide services of varying intensity and duration. A program with an

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outpatient license may deliver an average of up to 15 hours of service per week per client from professional staff; however programs providing more than 15 hours are required to have an Intensive Outpatient Program license.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.390 Adolescent Outpatient Program Facilities

- a) At least one full time staff member or equivalent of the facility program's professional staff shall have specific training in child and teen development, including a minimum of fifteen (15) college credit hours in courses related to the topic.
- b) Adolescent outpatient treatment program facilities shall be permitted to admit clients who are aged eighteen (18) and nineteen (19) and twenty (20) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to younger clients, such as the client's lack of experience in independent living.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.392 Adult Intensive Outpatient Programs

- a) Intensive outpatient treatment program facilities serving adults shall provide for a minimum of fifteen (15) hours per week of services from professional staff to clients in addition to the staffing requirements shown in Section 2058.386.
- b) Intensive outpatient treatment program facilities serving adults shall be permitted to admit clients who are aged sixteen (16) and seventeen (17) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to older clients, such as the client's experience in independent living.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.394 Adolescent Intensive Outpatient Programs

- a) Intensive outpatient treatment program facilities serving adolescents shall provide for a minimum of fifteen (15) hours per week of services from professional staff to clients in addition to the staffing requirements shown in Section 2058.386.
- b) At least one full time staff member or equivalent of the facility program's professional staff shall have specific training in child

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- and teen development, including a minimum of fifteen (15) college credit hours in courses related to the topic.
- c) Intensive outpatient treatment program facilities serving adolescents shall be permitted to admit clients who are aged eighteen (18) and nineteen (19), and twenty (20) years provided that the maturity and clinical needs of these individuals are appropriate to the services being provided to younger clients.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

Section 2058.396 Adult Medical Detoxification Programs

- a) Medical detoxification program facilities serving adults shall provide for at least two staff persons who are on duty during program hours of operation and whenever clients are in the facility. One of these staff must be a medical professional such as a registered nurse, emergency medical technician, or physician.
- b) Medical detoxification program facilities serving adults shall be permitted to admit clients who are aged seventeen (17) years provided that the results of the client screening activities required under subsections 2058.327(c) and (d) indicate that the behavior and experiences of these individuals is appropriate to the services being provided to older clients, such as the client's experience in independent living.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

SUBPART D: INTERVENTION

Section 2058.410 Designated Program

- a) The Department shall designate a single organization to serve as the designated program pursuant to the requirements of Section 1-103 and Sections 10-101 through 10-103 of the Act.
- b) The authorized program representative of the designated program shall meet the requirements set forth in Section 2058.300.
- c) The advisory boards of the designated program shall meet the requirements set forth in Section 2058.303 and shall also include at least three judges appointed by the chief judge of different circuit courts in geographically diverse areas of Illinois and a representative appointed by the Administrative Office of the Illinois Courts.
- dc) The designated program shall provide the services and activities set forth in subsections (e) through (m) in a uniform manner in all districts or circuits of the Illinois Courts, and shall assure that

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these services and activities are uniform throughout the State whether provided directly or by subcontract or referral. Each facility of the designated program shall enter into an inter-agency agreement with the chief judge of each circuit court receiving services from the facility concerning the operating procedures of the court in relation to such services.

- ed) The designated program shall establish and maintain a plan for professional services in accordance with the requirements set forth in Section 2058.306.

- fe) The designated program shall establish and maintain a quality assurance system in accordance with the requirements set forth in Section 2058.309.

- gf) The designated program shall maintain a system of client records which requires a record on each individual screened by the designated program, which includes:

- 1) identifying information as required in Section 2058.315(c)(4) of this Part;
 - 2) results and findings of the screening service including data collected in determining the results, written notification of the results to the client, and documentation of notification of the results to the court;
 - 3) all correspondence and information related to the screening process for the client such as the criminal history, health records, and self-reported information from the client. When it has been determined that the client has a previous sentence to probation, the designated program shall contact the probation department, under whose supervision the client had been placed. If a release of confidential information has been obtained, the designated program shall request a statement from the probation department summarizing the Probation records on the client, including known history of alcohol or drug usage; the name(s) of any treatment agency to which the client was previously referred; and record of compliance with court-ordered conditions;
 - 4) any court orders or records of judicial proceedings related to screening activities; and
 - 5) any informed consent documents required for screening.
- hg) Client management services of the designated program shall include:
- 1) intake services required in Section 2058.327;
 - 2) the case management function including assisting the client in securing treatment, assisting the court in final dispositions, and assisting the treatment system in identifying special treatment needs;
 - 3) written procedures defining recordkeeping requirements. The procedure shall provide for files containing

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documentation of each client's treatment experience, which must include:

- A) case management notes which document a client's compliance with toxicology requirements as required by Section 2058.366(c), court appearances and reports, and reports from treatment providers;
- B) documentation that a treatment provider has accepted the criminal justice referral client;
- C) written notification from the designated program to the courts and to the supervising probation department acknowledging a client's acceptance into treatment;
- D) written reports from the treatment provider relating to the client's progress in treatment;
- E) warning letters which are written communication to clients regarding a failure to meet program obligations;
- F) jeopardy meeting reports which document official sanctions taken against clients who have received warning letters concerning failure to meet program obligations. The jeopardy meeting is attended by the client and at a minimum, the case manager from the designated program. Notice of the date, time and location of the jeopardy meeting shall be sent to the supervising probation department 72 hours in advance to enable the Probation Officer to attend;
- G) case conference meeting reports which are documentation of meetings with the client to discuss such matters as verbal warnings, transfer, and discharge;
- H) reports of criminal justice referral treatment progress which are monthly reports generated from the designated program to the court and to the Supervising Probation department which describe a client's treatment status or progress in treatment;
- I) reports of criminal justice referral client discharge which are notices issued to the courts by the designated program which describe a client's successful or unsuccessful treatment and discharge. Verbal notice and status information on the client at the time of discharge shall be given to the supervising probation department within 24 hours of the time of discharge, excluding Saturday, Sunday and court holidays. Written reports of successful discharge will contain the following: client's intended residency if known; summary of treatment progress; and recommendations for further treatment. These reports shall be sent to the supervising probation department and court within ten (10) days of discharge. Reports of unsuccessful discharge will be sent within three (3) days and shall contain the following: client's

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- J) intended residency, if known; instructions given for continued contact with the designated program and supervising probation department; and specific reasons for the unsuccessful discharge;
 - K) consent to release information forms;
 - L) court orders which include documentation remanding a client for assessment and other documents relating to the terms of probation;
 - M) written request/response for parole or probation consent which is the statutorily mandated consent of the Parole or probation department as set forth in Section 10-101(e) of the Act to divert a client to the designated program, if the client is on parole or probation;
 - N) general correspondence from criminal justice system personnel;
 - O) documentation to the courts regarding the designated program's findings in the initial assessment of a client. These findings shall be provided to the probation department when a pre-sentence investigation is being conducted on the client, unless otherwise ordered by the Court;
 - P) court and other transactions which are a systematic documentation of all client or court activities;
 - Q) the evaluation document which contains information collected by the designated program to determine the client's degree of substance abuse and the client's readiness for treatment;
 - R) client summary and referral information which is forwarded to treatment providers;
 - S) criminal justice referral client agreements which are documents signed by the client to consent voluntarily to treatment. These documents are updated if the consent expires while the client is in treatment;
 - T) prior treatment information, including client records; and
 - U) psychological evaluation reports.
- 4) The designated program shall secure and maintain mutual service agreements with all treatment facilities used for referral in order to accomplish accurate and thorough documentation of client treatment progress or lack of progress.
 - 5) There shall be a written procedure defining client responsibilities and criteria for measuring treatment progress.
 - 6) There shall be a written procedure defining methods for periodic client evaluation and intervention should a client fail to comply with treatment requirements specified in the client's treatment plan.
 - 7) There shall be a written procedure defining methods for uniform application of standardized case management services

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and policies in all judicial circuits and counties in Illinois.

- 8) There shall be an information system guaranteeing standardized collection, maintenance, and analysis of individual and aggregate client data. This information is used for operating a quality assurance system and for developing a plan for professional services.

4h) Client Discharge

- 1) The designated program will maintain procedures defining the uniform application of a standardized system for client discharge in all judicial circuits and counties in Illinois, including communications with probation departments regarding discharge plans.

- 2) The designated program will review treatment progress reports or other written communication with the client's counselor to determine if the client's attendance record, urinalysis or breathalyzer results, or behavior have violated the designated program's criteria and that a change in the client's status with the treatment facility is justified.

- 3) The designated program shall have a written policy specifying the situations that may lead to a change in client status and the procedure to be followed when such a situation is reported.

4i) Reporting Functions

- 1) There shall be a written procedure for preparing and presenting written reports to the court and other appropriate criminal justice system officials regarding findings of assessment.

- 2) There shall be a written procedure for preparing and presenting written reports informing the court, the supervising probation department, and other criminal justice system officials as required by the court, of the client's initial or any subsequent placement in treatment. These reports will minimally include: the treatment facility or agency name, address and telephone number; the name of the counselor assigned to the case; the name, address and telephone number of the designated program personnel responsible for the case, and the date of placement in treatment.

- 3) There shall be a written procedure for preparing and presenting to the court and to the supervising probation department monthly evaluations of a client's treatment progress.

- 4) There shall be a written procedure for preparing and presenting to the court, the supervising probation department and other criminal justice system officials designated by the court, a written report of the objective facts of the client's

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treatment rehabilitation at client discharge. These procedures shall be reflective of subsection (h)(3)(i).

- 5) There shall be a written procedure defining methods guaranteeing uniform application of standardized reporting services in all judicial circuits and counties in Illinois. Copies of these policies and procedures shall be made available to all courts and probation departments throughout the State.

4j) Court Services

- 1) There shall be a written policy that clearly states the objectives of services provided to the court.

- 2) There shall be a written procedure for documenting all court appearances, including status and violation hearings, which must include a process for recording the decisions of the court and the required subsequent actions. The procedure must describe the activities to be performed before, during, and after the hearing, and designate the person or persons responsible for their execution.

- 3) There shall be a written policy concerning judicial requests to reassess discharged clients.

- 4k) The designated program shall comply with the requirements for assuring the confidentiality of client information as set forth in 42 CFR 2 (1987) and as required in Sections 2058.318 and 2058.319 of this Part.

- 4l) If the designated program conducts or participates in research projects involving human subjects, the designated program shall comply with the requirements set forth by the U.S. Department of Health and Human Services in 45 CFR 46 (1987).

- 4m) Toxicology services performed by the designated program shall comply with the requirements set forth in Sections 2058.366 (Toxicology), 2058.342 (Infection Control), and 2058.343 (HIV Infection and AIDS Related Training) of this Part.

(SOURCE: Amended at _____ Ill. Reg. _____, effective _____.)

SUBPART F: PHYSICAL PLANT REQUIREMENTS

Section 2058.600 General - All Program Facilities

a) Life Safety

- 1) The National Fire Protection Association's (NFPA) Life Safety Code referred to throughout Subpart F refers to the Life Safety Code of 1981 5 for existing and new facilities as defined in Section 2058.185 and to the Life-Safety-Code-of-1985-for-new-facilities-as-defined-in-Section-2058.185 and for the fire protection systems of existing residential program

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facilities which modify or replace more than 50% of its fire detection, alarm or communication system.

- 2) Existing All program facilities which are licensed under this Part shall be in compliance with the National Fire Protection Association's (NFPA's) Life Safety Code of 1991 5 in accordance with the specific standards referenced under Section 2058.600 through Section 2058.625. Existing program facilities which modify or replace more than 50% of its detection system, alarm system or communication system shall update all three systems to the NFPA's Life Safety Code of 1985.

- 3) New facilities which are licensed under this Part shall be in compliance with the Life Safety Code of 1985 of the NFPA in accordance with the specific standards referenced under Sections 2058.600 through Section 2058.625.

- 4) Each building of the facility shall be surveyed to determine compliance with occupancy standards of the Life Safety Code.

- 5) When the requirements of the standards or their equivalents are not met, a plan and timetable of conformance shall be instituted. In addition, the facility shall document and execute sustained, extraordinary, interim, life safety measures, such as intensified housekeeping and maintenance practices, the provision of additional fire-fighting equipment, and fire drills on all work shifts in excess of the requirements stated in this Subpart.

- 6) A documented program of preventive maintenance and semi-annual inspection of all fire alarm systems shall be performed by private alarm contractors licensed under the Private Detector Private Alarm, and Private Security Act of 1983 (Ill. Rev. Stat. 1989, ch. 111, par. 2651 et seq.).

- 7) A documented program of annual inspection or testing of automatic fire-extinguishing systems shall be performed by private alarm contractors licensed under the Private Detector Private Alarm, and Private Security Act of 1983.

- 8) Any rooms occupied by 50 persons or more shall conform to the NFPA's Life Safety Code 1985, (Assembly Occupancies).

- 9) New construction shall provide access to handicapped individuals and shall be in compliance with the Illinois Accessibility Code of the Capital Development Board (71 Ill. Adm. Code 400).

b) Safety Devices and Practices

- 1) The facility shall have a written emergency preparedness plan designed to provide for the utilization of available resources so that services can be continued during a disaster and which identifies the role of the facility in a community-wide disaster.

- 2) An external emergency release mechanism shall be available for opening bathroom and toilet room doors that are lockable from the inside.

- 3) The facility shall have fire alarm systems which shall automatically transmit the alarm to any available municipal fire department by direct private line or through any approved central station when activated by any of the following: manual stations; detection systems; or flow alarms in the sprinkler system. Outpatient treatment facilities which can show impossibility in complying with this subsection may request an exception provided that automatic dialer systems are installed instead.

- 4) There shall be a telephone in the facility available in the case of an emergency. The telephone numbers of the fire department, the police department, and an emergency ambulance service shall be posted near the telephone.

- 5) Facilities that do not have emergency medical care shall have first-aid kits available on the premises and all supervisory staff shall be familiar with the locations, contents, and use of the first-aid kits.

- 6) With the exception of subsections (3), (4), and (5), compliance date for all standards under subsection (b) is July 1, 1989.

c) Hazardous Materials and Wastes

- 1) Space and facilities shall be provided for the storage and disposal of waste.

- 2) Compliance date for all standards under subsection (c) is July 1, 1989.

d) Electrical Distribution

- The facility shall have an electrical distribution system that is designed, installed, and maintained in a manner that provides electrical power for all required operations.

e) Lighting

- 1) All spaces occupied by people or machinery within a building, parking lots, and building approaches shall have lighting suitable to provide functional comfort and safety to clients, employees, and visitors.

- 2) Emergency lighting which is effective for two or more hours shall illuminate means of egress, examination rooms, and assembly areas.

- 3) Compliance date for all standards under subsection (e) is July 1, 1990.

f) Plumbing

- 1) Domestic hot water shall be maintained at a temperature of 105 - 130 degrees Fahrenheit at tap with the exception of clearly posted dishwashing sources.

- 2) Drainage piping shall not be installed within the ceiling or in exposed locations in food preparation areas, food service areas, and food storage areas. Existing drainage pipes in these areas shall be protected by gutters.

- g) Heating Ventilating and Air-Conditioning (HVAC)

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- 1) Outside air shall be provided to each habitable room by a ventilation system or by operable windows.
- 2) Insect screens shall be provided for windows, vents, and exterior doors which may be left in an open position for ventilation.
- 3) Open faced, gas-fired heating devices, and space heaters are prohibited.
- 4) All inside rooms, including toilets, bathrooms, and other rooms in which excessive moisture, odors or contaminants originate, shall be provided with mechanical exhaust ventilation.
- 5) With the exception of subsection (4) above, compliance date for all standards under subsection (g) - July 1, 1990.

h) General Services

- 1) A janitor-closet shall be provided at each facility, with a floor-receptor or service-sink and storage-space for house-keeping-equipment-and-supplies. A small facility may request an exception to this subsection (h)(1). An exception may be granted if the Director finds, based upon evidence presented, that the facility has sufficient provisions for janitorial requirements otherwise. Such a determination shall be based on but not be limited to a consideration of client-population and size, type-of-service, floor-space-in-the-facility-and-any other-pertinent-factors.
- 2) Equipment rooms for boilers, mechanical equipment and electrical equipment, and storage rooms for building maintenance supplies shall be provided.
- 3) Compliance-date-for-all-standards-under-subsection-(h)---July 1, 1990.

ig) Therapeutic Environment

- 1) Rest rooms shall be available for clients and visitors and have paper towel dispensers and metal waste receptacles, roll towels or electric hand dryers.
- 2) Water-fountains/cookers shall be provided.
- 3) All furnishings, equipment, and appliances shall be clean and maintained in good operating order.
- 4) Recreational facilities and equipment shall be consistent with clients' needs and the therapeutic program.
- 5) Areas for confidential counseling, administration, and public reception shall be provided.
- 6) A facility which dispenses or retains medication shall have a room which contains a sink, work counter, storage area for supplies, and equipment. This room shall have a minimum area of 80 square feet with at least one dimension of 10 feet. An existing facility may request an exception from the size requirement of this subsection (i)(6). An exception may be granted if the Director finds, based on evidence presented,

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that the facility has a medication room of a size adequate to deal with the client load storage and dispensing needs. Such a determination shall be based on, but not be limited to, a consideration of client population and size, type of service, type of medication, floor space in the facility, and any other pertinent factors.

- 7) With the exception of subsection (2), compliance date for all standards under subsection (i) --- July 1, 1990.

(SOURCE: Amended at Ill. Reg. , effective .)

Section 2058.602 Residential Program Facility Requirements

This Section shall not apply to halfway houses. See: 2058.603 Reference 2058.600

a) Existing Facilities

- 1) All existing residential treatment facilities with exceptions of halfway houses that serve sixteen (16) or fewer clients, shall comply with Chapter 17 (Existing Hotels and Dormitories) of the NFPA's Life Safety Code 1981.
- 2) An existing halfway house facility that serves sixteen (16) or fewer clients shall comply with Chapter 20 (Boarding or Rooming Houses) of the NFPA's Life Safety Code 1981.
- 3) Compliance date for all standards under subsection 2058.602(b) --- July 1, 1990.

c) All New Program Facilities

- 1) All new residential treatment program facilities, with the exception of halfway houses that serve sixteen (16) or fewer clients, shall comply with Chapter 16 (New Hotel and Dormitories) of the NFPA's Life Safety Code 1985.
- 2) A new halfway house facility that serves sixteen (16) or fewer clients shall comply with Chapter 20 (Boarding or Rooming Houses) of the NFPA's Life Safety Code 1985.
- 3) A documented program of preventive maintenance and semi-annual inspection of all fire alarm systems shall be performed by private alarm contractors licensed under the Private Detective, Private Alarm, and Private Security Act of 1983 (Ill. Rev. Stat. 1989, ch. 111, par. 2651 et seq.).
- 4) A documented program of annual inspection or testing of automatic fire-extinguishing systems shall be performed by private alarm contractors licensed under the Private Detective, Private Alarm, and Private Security Act of 1983.

d) Client Bedrooms

- 1) There shall be no more than 4 beds per client bedroom. Existing facilities may continue to house up to 10 clients per room if they were licensed to do so previously.

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- 2) Client sleeping rooms shall have a minimum of eighty (80) square feet in a single bedroom and sixty (60) square feet per bed in multi-bed rooms. At least 3'-0" of clear space shall be provided at the foot or head and one side of each bed. Adjoining beds must be at least 3'-0" apart from each other. Bunk beds are not allowed in detoxification program facilities. In both adult medical detoxification facilities and adolescent medical detoxification facilities, a minimum of 100-square-feet-in-single-bedrooms-and-80-square-feet-per-bed in-multi-bed-bedroom-shall-be-provided.
- 3) Each client bedroom shall be an outside room with not less than the equivalent of 10% of its floor area devoted to windows which are provided with curtains, blinds, or shades. No room which opens into the kitchen or necessitates passing through the kitchen to reach any other part of the facility shall be used as a bedroom.
- 5) No client sleeping room shall be permitted in an attic or with a floor more than three (3) feet below the adjacent ground level.
- 6) Each client shall have a wardrobe, locker, or closet available for his/her use.
- 7) Each client room shall have a swinging door no less than 2'-8" in width which opens directly onto a corridor or to the outside. In addition, doors leading to corridors shall not be lockable from the inside. With the exception of halfway-house facilities:
- 8) Clients' beds shall be non-folding, at least 36 inches wide equipped with a mattress that is incapable of sustaining flame.
- 9) Client bedrooms shall be clean and organized.
- 10) Each client room shall be occupied only by those of the same sex.
- ii) With the exception of subsections (5) and (10); compliance date for all standards under subsection 2058-602(d)---July-17-1990.
- e) Client Bathing and Toilets
 - 1) Each tub or shower shall be in an individual room or enclosure which provides space for drying and dressing.
 - 2) Compliance date---July-17-1990.
 - The lavatory may be omitted from a toilet room which serves two adjacent bedrooms if each such adjacent bedroom contains a lavatory. In both adult medical detoxification program facilities and adolescent medical detoxification program facilities, each client room shall have access to a toilet room without entering the corridor and one toilet room shall

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- serve not more than four beds and not more than two patient rooms.
- 3) A toilet room shall be accessible to each central bathing area.
- 4) A minimum of one (1) water closet, one (1) lavatory, and one (1) bathtub or shower for each sex shall be provided on each residential floor occupied by both sexes.
- 5) Bathroom fixtures shall be provided in the following numbers: one (1) lavatory, one (1) water closet, and one (1) bathtub or shower for each eight (8) client beds on each floor which are not served by facilities adjacent to the clients' sleeping room.
- 6) All toilet and bathing facilities shall be well lighted and vented to the outside, either by means of a window that can be opened, or by an exhaust fan.
- 7) No toilet room, other than for employees, shall open directly into a kitchen, pantry, food preparation area, or food storage room.
- 8) A bathtub for private bathing and an enclosed area for drying and dressing shall be provided.
- 9) Any toilet or bathing room not solely for the use of employees shall have latching devices which are readily-unlockable from the exterior with the use of keys.
- 10) Compliance date for all standards under subsection 2058-600(e)---July-17-1990.
- f) Public Toilets

Toilet rooms without bathing facilities shall be provided for use by members of the public. Compliance Date---July-17-1990.
- g) Lobby
 - i) A seating area shall be provided for the reception of visitors by clients and staff.
- h) Administration Offices
 - 1) Private offices, clerical areas, and a staff meeting room shall be provided.
 - 2) A secure lockable area shall be provided for the safeguarding of personnel, administration, and client records and materials.
 - 3) Compliance date for all standards under subsection 2058-602(h)---July-17-1990.
- i) Group Counseling Room
 - 1) A room for group counseling other than those provided for recreation or dining with the exception of facilities programs treating fewer than 20 clients shall be provided.
 - 2) The group counseling room shall be enclosed.
 - 3) Compliance date for all standards under subsection 2058-602(i)---July-17-1990.

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- j) Recreation Room
 4) Each facility shall have a recreation room sized and equipped to promote leisure time activities suited for the age and number of the clients served.
- 2) Adolescent facilities shall have a room with a minimum of 10 square feet per client; Adult facilities shall have a recreation room with a minimum of 7 square feet per client.
Compliance date for all standards under subsection 2058-602(f) -- July 17, 1990.
- k) Dining Area
 1) The dining area shall be supervised and staffed to provide assistance to the clients when needed.
 2) Each facility's dining area shall be sized and equipped to accommodate the age and number of clients served, a minimum of 16 square feet per client with the exception of facilities which document and organize multiple eating shifts per meal, in such dining areas a minimum of 18 square feet per seat is required.
 3) An area for water and beverages such as coffee shall be established.
 4) The dining area shall be separate from the kitchen area.
 5) The dining area shall have natural light.
Compliance date for all standards under subsection 2058-602(k) -- July 17, 1990.
- l) Kitchen
 1) Cooking or preparation of regularly scheduled hot meals shall be restricted to kitchen area which shall be designed and equipped to meet the requirements of the services provided including provisions for food receiving, storage, preparation, dish and pot washing, and waste disposal.
 2) Access to a handwashing sink, toilet, and janitor's closet shall be provided.
 3) All equipment and appliances shall be installed to permit thorough cleaning of equipment, the walls, the base, and the non-absorbent floor material.
 4) Each kitchen shall have an Underwriters Laboratories (U.L.) approved five pound Class B:C dry chemical fire extinguisher.
 5) With the exception of subsections (2) and (4), compliance date for all standards under subsection 2058-602(i) -- July 17, 1990.
- m) Laundry Provisions
 1) If clients are to do their own laundry, residential type laundry facilities shall be provided.
 2) If linen is to be processed on the site, space for soiled linen sorting, laundry equipment including washers and dryers, and clean linen storage space shall be provided.
 3) If linen is processed outside of the facility, a soiled linen storage room or area shall be provided.

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- 4) Compliance date for all standards under subsection 2058-602(m) -- July 17, 1990.
 n) Materials and Finishes
 1) Window curtains and draperies shall be non-combustible, of rendered and maintained flame retardant and shall be in conformance with NFPA Standards 701 Fire Tests for Flame-Resistant Textiles and Films 1981.
 2) Floors in kitchens, toilets, baths, and janitor's closets shall be water resistant.
 3) Wall base in areas subject to wet cleaning shall be integral with the floor or be tightly sealed without voids to the floor and wall.
 4) Ceilings in dietary areas shall have a finished ceiling covering all overhead piping and duct work.
 5) Compliance date for all standards under subsection 2058-602(n) -- July 17, 1990.
 o) Details
 1) Ceiling heights shall not be below 8'-0" for new construction and 7'-0" for existing construction.
 2) All stairways and ramps shall have handrails on both sides.
 3) Guardrails shall be provided on all open stairways and ramps.
 4) Items such as drinking fountains, telephone booths, vending machines, and portable equipment shall not reduce the corridor width below three feet.
 5) Each facility shall document an emergency evacuation plan, including provisions for the handicapped. Evacuation diagrams shall be familiar to all staff members and posted throughout the facility in areas visible to staff and clients.
 6) Areas with natural light shall be available to accommodate a range of social activities such as two-person conversations, group activities, smoking, reading, meditating, and personal privacy.
 7) With the exception of (5) above, compliance date for all standards under subsection 2058-602(o) -- July 17, 1990.
- (SOURCE: Amended at Ill. Reg. _____, effective _____.)
- Section 2058.603 Halfway Houses Programs
- a) Reference 2058.600
 b) All halfway house program facilities that serve sixteen (16) or fewer clients shall comply with Chapter 20 (Lodging or Rooming Houses) of the NFPA's Life Safety Code of 1985. All halfway house program facilities that serve seventeen (17) or more clients shall comply with Chapter 17 (Existing Hotels and Dormitories) of the NFPA's Life Safety Code of 1985
- c) Client Bedrooms

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- 1) There shall be no more than 4 beds per client bedroom. Existing facilities may continue to house up to 10 clients per room if they were licensed to do so previously.
- 2) Client sleeping rooms shall have a minimum of eighty (80) square feet in a single bedroom and sixty (60) square feet per bed in multi-bed rooms. At least 3'-0" of clear space shall be provided at the foot or head and one side of each bed. Adjoining beds must be at least 3'-0" apart from each other.
- 3) No client sleeping room shall be permitted in an attic or with a floor more than three (3) feet below the adjacent ground level.
- 4) Each client room shall have a swinging door no less than 2'-8" in width which opens directly onto a corridor or to the outside.
- 5) Clients' beds shall be non-folding, at least 36 inches wide equipped with a mattress that is incapable of sustaining flame.
- 6) Client bedrooms shall be clean and organized.
- 7) Each client room shall be occupied only by those of the same sex.
- d) Client Bathing and Toilets
 - 1) Each tub or shower shall be in an individual room or enclosure which provides space for drying and dressing.
 - 2) A toilet room shall contain a water closet and a lavatory. The lavatory may be omitted from a toilet room which serves two adjacent bedrooms if each such adjacent bedroom contains a lavatory.
 - 3) Bathroom fixtures shall be provided in the following numbers: one (1) lavatory, one (1) water closet, and one (1) bathtub or shower for each eight (8) client beds.
 - 4) All toilet and bathing facilities shall be well lighted and vented to the outside, either by means of a window that can be opened, or by an exhaust fan.
 - 5) No toilet room, other than for employees, shall open directly into a kitchen, pantry, food preparation area, or food storage room.
- e) Administration Office
 - 1) Sufficient offices and clerical work areas shall be provided.
 - 2) A secure lockable area shall be provided for the safeguarding of personnel, administration, and client records and materials.
- f) Recreation Room

Each facility shall have a recreation room sized and equipped to promote leisure time activities suited for the age and number of the clients served.
- g) Dining Area

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- Each facility's dining area shall be sized and equipped to accommodate the age and number of clients served.
- b) Kitchen
 - 1) Cooking or preparation of regularly scheduled hot meals shall be restricted to kitchen area which shall be designed and equipped to meet the requirements of the services provided including provisions for food receiving, storage, preparation, dish and pot washing, and waste disposal.
 - 2) Access to a handwashing sink and toilet shall be provided.
 - 3) All equipment and appliances shall be installed to permit thorough cleaning of equipment, the walls, the base, and the non-absorbent floor material.
 - 4) Each kitchen shall have an Underwriters Laboratories (U.L.) approved five pound class B:C dry chemical fire extinguisher.
 - i) Laundry Provisions
 - 1) If client are to do their own laundry, residential type laundry facilities shall be provided.
 - 2) If linen is to be processed on the site, space for soiled linen sorting, laundry equipment including washers and dryers, and clean linen storage space shall be provided.
 - 3) If linen is processed outside of the facility, a soiled linen storage room or area shall be provided.
 - j) Materials and Finishes
 - 1) Window curtains and draperies shall be non-combustible, of rendered and maintained flame retardant and shall be in conformance with NFPA Standards 701 Fire Tests for Flame-Resistant Textiles and Films 1981.
 - 2) Floors in kitchens, toilets, and baths shall be water resistant.
 - 3) Wall base in areas subject to wet cleaning shall be integral with the floor or be tightly sealed without voids to the floor and wall.
 - 4) Ceilings in dietary areas shall have a finished ceiling covering all overhead piping and duct work.
 - k) Details
 - 1) All stairways and ramps shall have handrails.
 - 2) Guardrails shall be provided on all open stairways and ramps.
 - 3) Items such as drinking fountains, telephone booths, vending machines, and portable equipment shall not reduce the corridor width below three feet.
 - 4) Each facility shall document an emergency evacuation plan, including provisions for the handicapped. Evacuation diagrams shall be familiar to all staff members and posted throughout the facility in areas visible to staff and clients.

(SOURCE: Added at _____ Ill. Reg. _____, effective _____.)

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Section 2058.610 Outpatient Program Facilities - General

a) Existing Facilities

1) All existing outpatient program facilities shall comply with Chapter 27 Existing Business Occupancies) of the NPFA's Life Safety Code 1981. 5

2) Compliance date---July-17-1989-

b) New Facilities

All new outpatient program facilities shall comply with Chapter 26 (New Business Occupancies) of the NPFA's Life Safety Code 1985.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.625 Research Programs

Facilities where research is conducted shall comply with local codes.

(SOURCE: Amended at ____ Ill. Reg. ____, effective ____.)

Section 2058.630 New Construction Requirements - All Program Facilities

a) New Construction, Additions, Major Alterations, or Conversions

1) When construction is contemplated, either for new buildings, additions, or major alterations of existing licensed facilities or conversions of structures designed or used for other purposes which come within the scope of this Part, the following shall be required:

- A) Design development drawings and outline specifications shall be submitted to the Department prior to starting final working drawings and specifications. Comments or approval shall be provided by the Department;
- B) Final working drawings and specifications shall be submitted to the Department for review and approval prior to the beginning of construction. For final approval to remain valid, contracts must be signed within one year of approval date.
- C) Any construction change which affects the function, design, or purpose of a facility shall be submitted to the Department for approval prior to authorizing the modification. Comments or approval shall be provided by the Department;
- D) The Department shall be notified in writing when construction has been completed and/or before any area is occupied. A final inspection of the completed construction will be made by the Department.

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- 2) All reviews and approvals are based upon compliance with all provisions of Subpart F.
- b) Preparation of Drawings and Specifications and Submission Requirements. Drawings and specifications shall be prepared by or under the immediate supervision of an architect registered in the State of Illinois.
- c) Initial Submission of Design Development Drawings and Outline Specifications. Preliminary sketch plans shall indicate in detail the assignment of all spaces, size of areas and rooms, and outline the fixed and movable equipment and furniture.
- 1) The Design Development Drawings shall include:
 - A) a plan of each floor including the basement or ground floor;
 - B) plot plan showing structures, new roads, parking areas, sidewalks; and
 - C) sections through the building.
 - D) All existing areas shall be clearly shown and the building type identified if the project is an addition, major alteration, or conversion. The drawings shall be made at a scale sufficiently large to present clearly the proposed design.
- 2) Outline specifications shall provide a general description of the construction.
- 3) A brief narrative of the proposed program shall be provided.
- d) Final Submission of Working Drawings and Specifications
 - 1) All working drawings shall be complete for contract purposes. Prints shall be submitted which are accurately dimensioned and which include explanatory notes, schedules, and legends in the event that symbols or codes are used on the face of the prints. Separate drawings shall be prepared for each of the following branches of work: architectural, structural, mechanical, and electrical. They shall include or contain the following:
 - A) a site plan showing all existing and new topography, newly established levels and grades, existing structures on the site (if any), new buildings and structures, roadways, walks, and the extent of the areas to be landscaped;
 - B) all structures and improvements which are to be removed under the construction contract shall be shown;
 - C) a plan of each floor and roof;
 - D) elevations of each facade;
 - E) sections through building;
 - F) elevators and dumbwaiters;

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- G) drawings of elevators and dumbwaiters which delineate shaft details and dimensions, sizes of cab platforms and doors, travel distances including elevation height of landings, pit sizes, and machine rooms;
- H) shall be detailed at a scale to show the location, type, size and connection of all fixed and movable equipment;
- I) details drawn to scale shall be provided; and
- J) a schedule of finishes shall be provided.
- 2) Structural drawings with specifications (not required if structural work is not proposed for major alterations or conversions) shall include plans of foundations, floors, roofs, and all intermediate levels. Such drawings shall show a complete design with sizes, sections, details, and the relative location of the various members. A schedule of beams, girders, and columns shall be provided.
- 3) Mechanical drawings with specifications (not required if mechanical work is not proposed for major alterations or conversions) shall show the complete heating, cooling, ventilation, plumbing, drainage, stand pipe, and sprinkler systems.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

SUBPART G: REPORTS

Section 2058.700 Reports to DASA

- a) Each licensee shall report to the Department within ten (10) days changes in:
 - 1) ownership or control;
 - 2) name and/or address;
 - 3) program capacity;
 - 4) categories of service offered;
 - 5) medical director; and
 - 6) existing licensed physical facilities prior to any conversions or alterations which affect compliance with Subpart F.
- b) Significant Incident Report
 - 1) Each licensee shall submit a verbal report of a significant incident to the Department within 24 hours of its occurrence. A significant incident would include an accident or event requiring the emergency services of the police department, the fire department, or the coroner. Verbal reports of significant incidents should be directed to the Regulatory and Support Services Division at the Department.
 - 2) Each licensee shall submit a written report of a significant incident with supporting documentation to the Department within ten (10) days of the occurrence. If available,

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coroner's reports shall be submitted within five (5) days of receipt by the facility. Written reports of significant incidents shall be submitted to the Regulatory and Support Services Division at the Department.

- c) Each licensee who intends to operate a satellite facility program or programs shall report the following information to the Department at least ten (10) days before beginning to provide services at the satellite facility program or programs location(s):
 - 1) The legal name, address and telephone number of each satellite facility program location;
 - 2) The services that will be provided at each such satellite facility program location;
 - 3) The days of the week and hours when each service will be provided at each satellite facility program location;
 - 4) The legal name, address, telephone number and license number of the licensee who will own operate and supervise the program(s) at each satellite facility program location; and
 - 5) The name(s) of the staff who will provide services at each satellite facility program location.
- The licensee will notify the Department of any changes in the information set out above within ten (10) days of the change(s) taking effect.

(SOURCE: Amended at Ill. Reg. _____, effective _____.)

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1) Heading of Part: Relative Home Placement2) Code Citation: 89 Ill. Adm. Code 3353) Section Numbers: Proposed Action

335.100 Amend
 335.102 Amend
 335.200 Amend
 335.202 Amend
 335.300 Amend
 335.302 Amend
 335.304 Amend
 335.306 Amend
 335.308 Repeal
 335.310 Amend
 335.312 Amend
 335.314 Amend
 335.316 Amend
 335.318 Amend
 335.320 Amend
 335.326 Amend
 335.328 Amend
 335.330 Amend
 335.332 Amend
 335.334 Amend
 335.336 Amend
 335.338 Amend

4) Statutory Authority: Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1989, ch. 23, par. 5005)

5) A Complete Description of the Subjects and Issues Involved: The Department is proposing revisions to 89 Ill. Adm. Code 335, Relative Home Placement in order to provide more expedient processing of applications for approval as a relative home and to assure the safety of children who are placed with relatives. These proposed revisions will tighten up the pre-conditions and agreements required prior to placing a child with relatives, will amend the safety requirements so that they may not be waived under any conditions, will revise the requirements for sleeping arrangements to more accurately reflect the available space in most

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homes of relatives which are accepting children for care, will revise the requirements for routine medical examinations so that examinations are only required when there is a concern about a family's health or ability to care for the children, will eliminate age specific requirements on the number of children which may be placed in a relative home, and will require appropriate supervision of children while the relative foster parents are employed.

6) Will these proposed amendments replace an emergency rule currently in effect?
Yes.7) Does this rulemaking contain an automatic repeal date: Yes ☐ No ☒
If "yes", date: _____8) Does these proposed amendments contain incorporations by reference? No.9) Are there any other amendments pending on this Part? No.10) Statement of Statewide Policy Objectives: This rulemaking neither creates nor expands a state mandate.11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Three public hearings have been scheduled on these proposed amendments. Persons interested in testifying may present their testimony orally or in writing at the following times:

4 p.m. - 7 p.m., June 10, 1991 (Monday)
 Department of Children and Family Services
 406 E. Monroe, 4th Floor
 Springfield, IL 62701-1498
 Call (217) 524-1239 for access after hours

4 p.m. - 7 p.m., June 12, 1991 (Wednesday)
 Department of Children and Family Services
 100 W. Randolph, 6th Floor
 Chicago, IL 60601
 Training Center

4 p.m. - 7 p.m., June 13, 1991 (Thursday)
 Department of Transportation - Regional Office
 1100 Eastport Plaza Drive
 Collinsville, IL 62234

In addition, comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication on this notice. Comments should be submitted to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe
Springfield, Illinois 62701-1498
217/785-2592

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

- 12) Initial Regulatory Flexibility Analysis: This rule will have no impact on small businesses.

The full text of the Proposed amendments begins on the next page:

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 335
RELATIVE HOME PLACEMENT
SUBPART A: GENERAL PROVISIONS

Section
335.100
335.102

Purpose
Definitions

SUBPART B: PLACEMENT

Section
335.200
335.202

Placement Pre-Conditions
Continuation of Placement

SUBPART C: APPROVAL STANDARDS FOR RELATIVE FOSTER FAMILY HOMES

Section
335.300
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Provisions Pertaining To Approval
General Safety Requirements for the Relative Foster Home
Requirements For Sleeping Arrangements
Nutrition and Meals
Business and Employment of Relative Foster Parents (Repealed)
Qualifications of Relative Foster Parents
Background Inquiry
Health of Relative Foster Family
Number of Children Served
Meeting Basic Needs of Related Foster Children
Health Care of Related Foster Children
Religion
Education
Discipline of Related Foster Children
Emergency Care of Related Foster Children
Release of Children
Confidentiality of Information
Required Written Consents
Records To Be Maintained
Cooperation with the Supervising Agency and the Department
Severability of This Part

AUTHORITY: Implementing and authorized by Section 5 of HAN-Act-creating-the Department-of-Children-and-Family-Services,-codifying-its-powers-and-duties; and-repealing-certain-Acts-and-Sections-herein-named the Children and Family Services Act (Ill. Rev. Stat. 1983, 1989, ch. 23, par. 5005)

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court ordered custody or guardianship, or an adoptive surrender or voluntary placement agreement signed by the parent(s) and to whom the child or children have any of the following relationships by blood, marriage, or adoption: grandfather, grandmother, great-grandfather, great-grandmother, great-uncle, great-aunt, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, nephew, niece or first cousin.

"Relative foster family home" means the home of a related caretaker approved in accordance with the standards prescribed by this Part.

"Supervising Agency" as used in this Part, means a licensed child welfare agency, a license-exempt agency, or the Department of Children and Family Services, which has responsibility for the day-to-day supervision, approval and monitoring of a relative foster family home.

(Source: Amended at 15 Ill. Reg. , effective)

SUBPART B: PLACEMENT

Section 335.200 Placement Pre-Conditions

a) Effective with the adoption of these rules, no child for whom the Department is legally responsible shall be placed with a relative unless the pre-conditions specified in this Section have been met. When a child is already in the care of a relative when the Department assumes legal responsibility, the pre-conditions of this Section shall be met within forty-eight (48) hours of the Department's assuming legal responsibility for the child.

b) Staff of the supervising placing agency shall meet with the proposed related caretaker and ascertain that the relative in accordance with the Department's rules at 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect), 302 (Services Delivered by the Department), 305 (Client Service Planning), 307 (Indian Child Welfare Services), and 327 (Permanency Advocacy Services):

- 1) is capable of protecting the child(ren) from further harm by the parent(s) or other caretaker(s) whose action or inaction allegedly threatened the child(ren)'s safety or well-being as determined by a child abuse or neglect investigation pursuant to the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1983; 1989, ch. 23, par. 2051 et seq.);
- 2) agrees not to release the child to anyone, including parent(s) or other relative(s), ~~except-as~~ unless previously authorized by the supervising agency; and

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SUBPART A: GENERAL PROVISIONS

SOURCE: Adopted at 10 Ill. Reg. 4513, effective April 1, 1986; amendments at 15 Ill. Reg. , effective

Section 335.100 Purpose

The purpose of this Part is to specify that related caretakers of children for whom the Department of Children and Family Services is legally responsible must meet the standards prescribed by this Part, which ~~are-substantially the same-as-those-required-for-licensure-as-foster-family-homes-unless-the-related-caretaker-has-been-granted-a-waiver-of-those-requirements-in-ac-cordance-with-Section-335-202;-and-to-prescribe-standards-for-the-approval-of-relative-foster-family-homes-~~ are prescribed to ensure the safety, health, and welfare of related children.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.102 Definitions

"Approval" or "Approved" means that a foster family home wherein the caretaker is related to the child(ren) in care has met the standards prescribed by this Part. Such standards are substantially the same with regard to the safety, health and welfare of children as those promulgated for licensure of unrelated foster family homes pursuant to the Child Care Act of 1969 (Ill. Rev. Stat. 1983; 1989 ch. 23, par. 2211 et seq.) and codified at 89 Ill. Adm. Code 402, Licensing Standards for Foster Family Homes.

"Children for whom the Department is legally responsible" means children for whom the Department has temporary protective custody, custody or guardianship via court order, or whose parent(s) has signed an adoptive surrender or voluntary placement agreement with the Department in accordance with 89 Ill. Adm. Code 302-1 Services Delivered by the Department.

"Department" means the Department of Children and Family Services.

"Director" means the Director of the Department of Children and Family Services.

"Placing agency" as used in this Part, means a licensed child welfare agency, a license-exempt agency, or the Department of Children and Family Services which places children in a related foster home.

"Related Caretaker" or "related foster parent" means a person who provides care for a child or children for whom the Department is legally responsible by reason of temporary protective custody,

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- 3) agrees not to allow the child's parents to reside in the relative's home unless previously authorized in writing by the supervising agency;
- 4) agrees not to move the child to another home or give the child to another caretaker unless previously authorized in writing by the supervising agency;
- 5) agrees not to arrange for medical, psychological, or psychiatric testing or treatment unless previously authorized in writing by the supervising agency;
- 6) agrees not to take the child out of state unless previously authorized in writing by the Department;
- 7) agrees not to allow parent-child visitation when it has been restricted by the court or in the client service plan; and
- 8) is willing to cooperate with the agency, the child(ren)'s parent(s) and other resource persons to help develop and achieve the permanency goal recorded in the child(ren)'s service plan.
- c) Prior to placement with a related caretaker, (or within 48 hours of the Department's assuming legal responsibility for a child already in the care of a related caretaker) staff of the supervising placing agency shall visit the home of the proposed caretaker to and shall determine that whether the following standards are met:
 - 1) background checks as required by 89 Ill. Adm. Code 385 (Background Checks) have been completed on all adult members of the household;
 - 2) the home is free from observable hazards;
 - 3) prescription and non-prescription drugs, dangerous household supplies, dangerous tools, weapons, guns and ammunition are stored in places inaccessible to children;
 - 4) basic utilities -- water, heat, electricity light -- are in operation;
 - 5) sleeping arrangements are suitable to the age and sex of the child(ren) as prescribed by Section 335.304;
 - 6) three-balanced meals can be provided daily to the related child(ren) in sufficient quantities to meet the child(ren)'s nutritional needs as required by Section 335.306;

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- 7) age-appropriate supervision of the related child(ren) as required by Section 335.318(c) can be provided assured at all times including times when the related caretaker is employed or otherwise engaged in activity outside of the home;
 - 8) the related caretaker has sufficient financial resources to provide basic necessities as defined by Section 335.310 (f), for themselves and their own child(ren);
 - 9) the medical needs of the related child(ren) can be met; and
 - 10) no member of the household appears to have a communicable disease which could pose a threat to the health of the related child(ren) or an emotional or physical impairment which could affect the ability of the caretaker to provide routine daily care to the related child(ren); or to evacuate them safely in an emergency;
 - 11) there is no evidence of current drug or alcohol abuse or a reasonable suspicion thereof on the part of any household member as determined by the placing agency's observations and statements provided by the related caretaker(s);
 - 12) the related caretaker has the ability to contact the agency, if necessary and the ability to be contacted;
 - 13) the related caretaker has immediate access to a telephone when the related child has medical or other special needs; and
 - 14) the related caretaker has a plan to ensure that the school-aged related child attends school.
 - d) Prior to or concurrent with placement in a related caretaker's home, staff of the supervising placing agency shall document, on the form prescribed by the Department, that the pre-conditions prescribed by this Section have been met.
 - e) Children for whom the Department is legally responsible who are in the care of related caretakers approved in accordance with this Part shall receive the same care and services as children in the care of unrelated caretakers unless otherwise required by this Part.
- (Source: Amended at 15 Ill. Reg. , effective)
- Section 335.202 Continuation of Placement
- a) Related caretakers shall meet the standards prescribed in Subpart C within 90 days of the initial placement.

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- b) Placement staff of the supervising agency shall assure that no child for whom the Department is legally responsible remains in the care of a related caretaker in excess of 90 days unless:

- 1) the related caretaker has been approved as meeting standards prescribed by Subpart C; or
 - 2) the related caretaker is awaiting the results of a background check or medical examination completed within 90 days of the child's initial placement; or
 - 3) a waiver as specified in subsection 335.202(d) has been requested and granted by the Director.
- c) Related caretakers who were providing care for related children for whom the Department is legally responsible prior to the adoption of these rules shall meet the Approval Standards for Relative Foster Family Homes within 180 days of the effective date of these rules unless a waiver has been granted in accordance with subsection (d) below.

- d) The Director of the Department may waive specific Approval Standards for Relative Foster Family Homes except for those requirements in Section 335.302 upon a showing that waiver of the particular standard(s) does not endanger the health, safety or welfare of the child(ren) involved. Requests for waivers shall be in writing, on a form prescribed by the Department, and shall:

- 1) specify the foster-family-home standard(s) for which waiver is requested;
- 2) specify how the health, safety, or welfare of the related child(ren) will be safeguarded by other means;
- 3) specify why removal of the child(ren) from the related caretaker's home would be detrimental to the child(ren)'s well-being and plan for permanency should a waiver not be granted; and
- 4) specify the date(s) the child(ren) was/were placed with the related caretaker(s)

- e) The decision of the Director regarding waivers granted or denied in accordance with subsection (d) above shall be in writing.

- f) Waivers granted in accordance with subsection (d) above shall be valid for the duration of approvals granted pursuant to Subpart C.

(Source: Amended at 15 Ill. Reg. , effective)

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SUBPART C: APPROVAL STANDARDS FOR RELATIVE FOSTER FAMILY HOMES

Section 335.300 Provisions Pertaining To Approval

- a) Approval of a relative foster family home shall be valid for two years unless one of the following occurs:

- 1) The foster family moves to an address other than that for which approval was granted;
- 2) The relative foster parent(s) substantially violate the requirements of this Part so as to endanger the health, safety or welfare of the child(ren). Refusal to cooperate with the supervising agency is a factor taken into consideration in determining whether the violation is substantial; or
- 3) The composition of the relative foster family home changes (as a result of divorce, separation or death) or members are added to the household by means other than child(ren) born to or adopted by the relative foster parent(s) after the home is approved; or

- 4) The specific related children for whom the home was approved no longer reside with the relative caretaker.

- b) The related foster-parent(s) caretaker shall notify the supervising agency within thirty (30) days of a change of address; separation; divorce; or death of a caretaker for whom the home is approved; or a change in the family composition per (a)(3) above. Whenever any of the events specified in section 335.300(a) occur, the home shall be submitted for re-evaluation and approval.

- c) Should any of the events specified in Section 335.300-(a) occur, or within 90 days of Ninety days prior to the expiration date of the most recent approval, the foster-family home shall be submitted for re-evaluation and approval.

- d) The child(ren) shall remain in the home during the re-evaluation provided the requirements of Section 335.200 continue to be met.

(Amended at 15 Ill. Reg. , effective)

Section 335.302 General Safety Requirements for the Relative Foster Home

- a) The foster home shall be clean, well-ventilated, free from observable hazards, properly lighted and heated, and free of fire hazards.

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- b) The water supply for the foster-family home shall comply with requirements of the local and state health departments. If well water is used, a copy of the Inspection Report and Compliance with Regulations shall be on file with the supervising agency.
- c) Portable space heaters may be used as a supplementary source of heat- if they meet safety approval standards (U.L. or other comparable standards). Portable-space-heaters-may-not-be-used-in-rooms-where-children-are-sleeping. Portable and fixed space heaters in areas occupied by children under age 10 shall be separated by fire resistant partitions or barriers to prevent contact with the heater.
- d) Prescription and non-prescription drugs, dangerous household supplies, dangerous tools, weapons, guns, and ammunition shall be kept in a safe place. Loaded guns shall not be kept in a foster the home unless required by law enforcement officers and maintained and stored in accordance with their safety procedures.
- e) Healthy household pets which present no danger to children are permitted. A-licensed-veterinarian-shall-certify-that-the-animals-are-free-of-diseases-that-could-endanger-the-health-of-children-and-that-dogs-and-cats-have-been-inoculated-for-rabies. If-certification-of-inoculation-is-not-available,-animals-shall-be-confined-at-all-times-in-an-area-inaccessible-to-children.
- f) The foster home shall have reasonable access to a telephone in case of an emergency. In cases where the child in care requires special services or frequent medical attention, the related family shall have immediate access to a telephone. an-operating-telephone-on-the-premises.
- g) The foster home shall be equipped with a minimum of one operable smoke detector on every floor level, including attic and basement.
- h) The foster home shall have fire and emergency evacuation plans which are to be discussed and routinely rehearsed with the child(ren).
- i) None of the above standards in Section 335.302 may be waived under any circumstances.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.304 Requirements For Sleeping Arrangements

- a) Each child for whom the home is approved shall be provided his or her own bed or crib, except that two related children up to age 10

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- of the same sex with no more than two years difference in their ages may share a double-sized (or larger) bed.
- b) A child under six years of age may share a sleeping room with one related an adult or a related couple provided the child-is-provided with-his-or-her-own bed or crib and-space requirements are met. except that-a-female-child-shall-not-share-a-sleeping-room-with-an-adult male. A child over six years of age may share a sleeping room with one related adult of the same sex provided the child-is-provided with-his-or-her-own bed and-space requirements are met.
- c) There-shall-be-a-minimum-of-40-square-feet-of-floor-space-per person,-excluding-closet-and-wardrobe-area,-in-a-sleeping-room occupied-by-a-child-or-children. Children under six years of age may share a room with related children of the opposite sex provided each child is provided with a separate crib or bed.
- d) The room shall be exposed to an outside window or shall have auxiliary means of ventilation.
- e) The springs and mattresses on each bed requiring such shall be level. The bedding shall be suitable for the season.
- f) Linens shall be changed at least weekly for all children and as frequently as needed for children not toilet trained, and for those who are enuretic.
- g) Waterproof mattress covers shall be provided for all beds or cribs for enuretic children.
- h) Any child who is ill or suspected of having a contagious disease shall be isolated from other children until a medical determination has been received that the disease is not contagious or is no longer contagious.
- i) Sleeping room shall be comfortable and shall be furnished suitably for the age and sex of the child.
- k) Basements-or-attics-shall-not-be-used-for-sleeping-unless-approved by-the-supervising-agency---to-be-used-for-sleeping,-basements-and attics-shall-have-two-exits-with-one-exit-leading-directly-to-the outside-with-means-to-safely-reach-ground-level---An-outside-window operable-from-the-inside-(without-the-use-of-tools)-and-providing an-unobstructed-opening-of-not-less-than-that-5-7-square-feet-in area-may-be-used-as-a-second-exit-provided-it-is-not-more-than-44 inches-above-the-floor---in-addition,-the-opening-shall-be-at-least 20-inches-in-width,-with-a-corresponding-height-to-give-5-7-square feet---the-opening-shall-be-at-least-24-inches-in-height-with-a width-to-give-5-7-square-feet. Basements and attics may be used

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as separate sleeping quarters for children who are mobile, capable of self preservation, and able to understand and follow directions with minimal assistance in an emergency.

- 1) To be used for separate sleeping quarters, basements and attics shall have two (2) exits with one (1) exit leading directly to the outside with means to safely reach ground level. The second exit can be an easily accessible outside window large enough to accommodate an adult.
- 2) Children for whom basement or attic separate sleeping quarters are allowed shall be individually evaluated and approved by the supervising agency in accordance with the above-cited requirements.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.306 Nutrition and Meals

a) The foster home shall provide at least three balanced meals per day in quantities sufficient to meet the recommended dietary allowances of the National Food and Nutrition Board for nutritional needs of children as contained in 21-C-F-R-104-20-(d)(3)-(1985) (this section contained no later amendments or editions)---the time span between meals shall not be greater than 14 hours (overnight).

a) Meals shall be provided to the related children in sufficient quantities to meet the children's nutritional needs.

b) A child requiring a special diet due to medical reasons, allergic reactions, or religious beliefs shall be provided meals in accordance with the child's needs.

c) The foster home shall consider the child's nutritional needs in relationship to the sex, age, religious beliefs and cultural background of the child. Otherwise, meals served to the child(ren) shall be substantially the same as those served to other family members.

d) Meals shall be served in an unhurried manner, under clean and sanitary conditions.---Children shall be encouraged to eat the food that is served, but shall not be subjected to coercion or forced feeding.

e) Children may be allowed to assist in meal preparation under adult supervision.

(Source: Amended at 15 Ill. Reg. , effective)

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Section 335.308--Business and Employment of Relative Foster Parents

- a) An unrelated individual may be allowed to share the living arrangements, regardless of whether the foster family profits from the arrangement, only with the approval of the supervising agency.---The supervising agency shall approve sharing the living arrangements unless the supervising agency has reason to believe that the presence of the unrelated person(s) interferes with the ability of the related foster parent(s) to provide care for the child(ren) or that the presence of the unrelated person(s) endangers the health, safety, or welfare of the child(ren) for whom the home is approved.
- b) The operation of other business enterprises on the premises is permitted but shall not interfere with the care of the child(ren) or endanger the health, safety and welfare of the child(ren).---The supervising agency must know and approve of any business operation.
- c) Prior approval for outside employment or activity shall be granted by the supervising agency only when the agency determines that such outside employment or activity will not interfere with the proper care of the foster child(ren).---When foster parents receive approval for employment or activity outside the home, provision shall be made for adequate supervision of the child(ren).

(Source: Repealed at 15 Ill. Reg. , effective)

Section 335.310 Qualifications of Relative Foster Parents

a) The relative foster parent(s) shall be related to the child(ren) as defined by this Part, and shall be either single or a man and woman married to each other.---Each foster parent shall be willing to assume appropriate responsibilities for the child or children for whom care is provided.

b) Relative foster parents shall be stable, law abiding, responsible, mature individuals, at least 21 years of age, who shall have passed authorized the background check required for foster parents in 89 Ill. Adm. Code 380, Background Check of Foster Family Home Applicants, and shall be able to accept agency supervision. Inform members of the household are not required to authorize a background check in accordance with Part 380 unless they will be acting as the care provider.

c) Foster parents shall supervise children in their care in an effort to assure compliance with laws including, but not limited to, criminal laws.

c) d) Relative foster parents shall provide the names and addresses of

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at least three unrelated references who can attest to their parenting ability and moral character; or shall provide the names of school officials where their own children attended school.

d) e) Unless parental rights are terminated, the relative foster parents shall respect and support the child(ren)'s ties to his or her biological parent(s) and shall cooperate with the supervising agency in this regard.

e) f) The relative foster family shall demonstrate an ability to manage their financial resources (income, governmental benefits, other assets) so as to provide basic necessities (shelter, food, clothing, utilities and essential medical care) for themselves, and their own child(ren); and the related child(ren) for whom the home is approved.

f) g) The conduct or behavior of members of the household shall not endanger the health, safety, or welfare of the child(ren) in care.

g) The operation of other business enterprises on the premises is permitted, but shall not interfere with the care of the child(ren) or endanger the health, safety, and welfare of the child(ren).

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.312 Background Inquiry

a) As a condition of approval by the Department, the relative foster parent(s) and each able bodied adult member of the household shall furnish information of any offenses (other than minor traffic violations) for which they have been charged. The Department shall make a determination concerning their suitability for working with the child(ren) in accordance with this Part, and 89 Ill. Adm. Code 380, Background Check of Foster Home Applicants, and Sections 4.1-4.4 of The Child Care Act.

b) Persons who have been convicted of an offense shall not be automatically rejected as relative foster parent(s). When a criminal history is present Department employees, designated by the Director of the Department, shall review the materials focusing on the relationship between the offense which was the basis for the conviction and the person's ability to perform responsibly as a relative foster parent. The following shall be considered: in addition to the criteria in Section 4.2 of The Child Care Act:

- 1) The type of crime for which the individual was convicted;
- 2) The number of crimes for which the individual was convicted;

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- 3) The nature of the offense(s);
- 4) The age of the individual at the time of the conviction;
- 5) The length of time that has elapsed since the last conviction;
- 6) The relationship of the crime and the capacity to care for children;
- 7) Evidence of rehabilitation; and
- 8) Opinions of community members concerning the individual in question.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.314 Health of Relative Foster Family

a) Foster parents and all members of the household shall provide medical evidence that they are free of communicable diseases or physical and mental conditions which affect the ability of the family to provide care.

b) Prior to approval, the foster parents shall furnish the supervising agency with a medical report on forms provided by the agency for each member of the household. A medical report shall be obtained for the foster parent(s), their child(ren), other persons residing in the foster home, and other persons regularly assisting in child care. The medical reports shall not be more than one year old. Copies of medical examinations of school-age children who are members of the household which were completed in accordance with the requirements of Section 27-8-i of The School Code (Ill. Rev. Stat. 1983, Ch. 122, par. 27-8-i) are acceptable provided copies of the medical examinations are on file with the supervising agency. Medical examinations shall be at the expense of the foster parent(s) or member of the household.

c) If there is a question whether the mental or emotional health of the foster parent(s) or other adult members of the household may endanger a child or children, clinical evaluations and reports may be required by the supervising agency. Clinical evaluations shall be at the expense of the supervising agency.

d) Medical re-examinations of the foster parent(s) and other members of the household shall be required at least once every four years. Copies of medical re-examinations of school-age children who are members of the household which were completed in accordance with the requirements of The School Code are deemed to be in compliance with this requirement provided copies of the re-examinations are

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on-file-with-the-supervising-agency--A-medical-re-examination-of foster-parent(s)-and-other-members-of-the-household-shall-be required-at-an-earlier-date-when-through-personal-observation-of or-notification-from-the-foster-family-it-becomes-evident-to-the supervising-agency-or-the-physician-has-reason-to-believe-that the-foster-parent(s)-or-a-member-of-the-household-has-a-communi- cable-disease-or-other-physical-impairment--Medical-reexaminations shall-be-at-the-expense-of-the-foster-parent(s)-or-member-of-the household-

a) Medical examinations of relative foster parent(s) or other members of the household shall be required when, through personal obser- vation of or notification from the relative foster family, it becomes evident to the supervising agency, or a physician has reason to believe, that the relative foster parent(s) or a member of the household has a communicable disease or other physical impairment which would affect the ability to provide care for the child(ren). Medical examinations shall be at the expense of the relative foster parent(s) or member of the household.

b) If the supervising agency has a question regarding whether the physical, mental or emotional health of the relative foster parent(s) or other member of the household may endanger a child or children in care or there is a concern about a member of the household's use of drugs or alcohol, clinical or medical evaluations and reports shall be provided by the caretaker to the supervising agency. Clinical or medical evaluations shall be at the expense of the Department of Children and Family Services.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.316 Number of Children Served

a) The maximum number of children for which a related foster family home shall be approved shall be eight (including the family's own foster-parent's-own-child-or children and other members of the household under 18 years of age whose parent(s) or guardian does not reside in the home) unless all of the related children for whom the home is approved are of common parentage. The maximum number of eight shall not include other children whose parent(s) or guardian is/are members of the household and assume full responsibility for their care. Nor shall the maximum of eight include children born to or adopted by the relative foster parent(s) after the home is initially approved.

b) No-more-than-4-children-under-the-age-of-6--including-the-foster parent(s)-own-children--shall-be-cared-for-at-any-one-time--No more-than-2-of-these-children--including-the-family's-own-children; shall-be-under-the-age-of-2-unless-the-foster-parent(s)-is/are

aided-by-a-child-care-assistant-other-than-a-foster-child--Such child-care-assistant-shall-be-at-least-14-years-of-age-and-shall-be considered-a-member-of-the-household-for-purposes-of-compliance with-this-Part--whether-the-assistant-resides-in-the-foster-home-or elsewhere--A-child-care-assistant-14-but-less-than-21-years-of-age shall-be-responsible-for-the-care-of-children-only-when-at-least one-relative-foster-parent-is-present-in-the-home-

c) When-determining-how-many-children-the-foster-family-home-shall serve--children-who-have-special-needs-due-to-physical--mental--or emotional-disabilities-shall-be-considered-at-the-level-at-which they-function-

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.318 Meeting Basic Needs of Related Foster Children

a) All Children in the foster-family home shall be treated equitably.

b) All Children in the home shall be protected from exploitation, neglect, and abuse. Suspected child abuse or neglect shall be reported to the supervising agency and to the Department immediately.

c) When the relative foster parents are employed or otherwise engaged in activities inside or outside the home, age-appropriate super- vision of the children shall be provided.

d) Children under the age of 10 shall not be left in the home without supervision by a responsible person age 15 or over. Children 7 years-of-age-or-older-receive responsible supervision appropriate to their needs, developmental stage, age and maturity. Plans-for When supervision by other than the relative foster parents will occur on a regular basis, the plan shall be in writing, and shall be approved by the supervising agency. The supervising agency shall review and approve the plan only when it-determines-that-it-does not-jeopardize the health, safety or welfare of the child(ren)- is ensured.

e) Each child shall be encouraged to visit their parent(s) and other family members in accordance with the provisions of the client service plan unless such visitation has been restricted by court order.

f) Each child shall be given the opportunity to develop social rela- tionships through participation in schools, and other community and group activities. Each child shall have the opportunity to invite friends to the foster home and to visit in the home of friends.

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- g) f) Trips away from the foster home which exceed 72 hours must be approved by the foster child's guardian or legal custodian.
- h) g) Relative f Foster parent(s) shall assist the child(ren) in the proper handling of money by providing a personal allowance based upon the child(ren)'s age and ability to manage the money. Personal allowances for the child shall not be less than the amount provided by the child's parent, guardian, or legal custodian.
- i) h) Adolescents may be allowed to earn additional spending money.
- j) i) A reasonable amount of the child's spending money may be saved for future expenditures. Savings over \$100 are to be held in a separate account in the child's name.
- k) h) Each child shall have the opportunity to learn to assume some responsibility for himself or herself and for household duties in accordance with his or her age, health, and ability. No child shall be permitted to do tasks which are hazardous, dangerous, or risk harm to the child.
- l) j) Each child shall be provided with his or her own clothing for health, comfort, and physical well-being. Clothing shall be properly fitted and appropriate to the season.
- m) i) Relative f Foster parent(s) shall encourage the child(ren) to engage in appropriate indoor and outdoor recreation.
- n) j) The supervising agency Relative f foster parents shall routinely share information about the related children with the supervising agency and shall immediately be notified notify the supervising agency of any situation that affects the care of the child, including but not limited to death, serious illness, incarceration, or any other significant occurrence.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.320 Health Care of Related Foster Children

- a) Each child shall have a medical and dental check-ups once-a-year in accordance with the Illinois Department of Public Aid's early periodic screening, diagnosis and treatment program or upon medical or dental recommendation.
- b) In case of sickness or accident, immediate medical care shall be secured for the child in accordance with the supervising agency's directions.

- e) immunizations and tests, unless exempt on religious grounds; shall be administered as required by the Department of Public Health regulations or as recommended by a physician.
- c) d) Relative f Foster parent(s) shall keep the supervising agency informed of the child(ren)'s health problems, including alcoholism and drug abuse.
- d) e) No prescription drugs or medicines shall be given to a related foster child without a physician's prescription or authorization.
- e) f) Relative f Foster parent(s) shall thoroughly acquaint anyone caring for the foster child(ren) in their absence with the foregoing health requirements.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.326 Discipline of Related Foster Children

- a) Discipline shall be appropriate to the age of the child, related to the child's act, and shall not be out of proportion to the particular inappropriate behavior. Discipline shall be handled without prolonged delay.
- b) The relative foster parent(s) shall be responsible for the discipline of the child. Discipline shall never be delegated to the child's peer or peers, nor to persons who are strangers to the child.
- c) No child shall be subjected to corporal (physical) punishment, verbal abuse, threats or derogatory remarks about the child or his or her family.
- d) No child shall be deprived of a meal or part of a meal as punishment.
- e) No child shall be deprived of visits with family or other persons with whom he or she has established a parenting bond as punishment.
- f) No child shall be deprived of clothing or sleep as punishment.
- g) A child may be restricted to an unlocked bedroom for a reasonable period of time. While restricted, the child shall have full access to sanitary facilities.
- h) A child may be temporarily restrained by a person physically holding the child if the child poses a danger to him or herself or to others.

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- i) The personal spending money of a child may be used as a constructive disciplinary measure to teach the child about responsibility and the consequences of his or her behavior. However, no more than 50% of the child's monthly personal spending money (as provided by parent(s), guardian or supervising agency) shall be withheld for any reason.

- 1) Withholding a child's monthly personal spending money shall occur only under the following circumstances:

- A) For reasonable restitution for damages done by the child; or
- B) For breaking the family's rules if the child has been given an oral warning that his or her spending money will be reduced for this infraction.
- 2) When a child's spending money has been reduced because he or she has broken a rule, the relative foster parent(s) shall keep the withheld money for the child and shall not use it for any other purpose. The relative foster parent(s) shall give the child opportunities to earn the money back and shall explain to the child how the spending money can be restored.

- j) Special or additional chores may be assigned as a disciplinary measure.

- k) Privileges may be temporarily removed as a disciplinary measure.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.328 Emergency Care of Related Foster Children

In the case of an emergency requiring the absence of the relative foster parent(s) from the foster home for a period of 24 hours or longer, the supervising agency must be notified so that appropriate arrangements may be made for the care of the child(ren).

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.330 Release of Children

The relative foster parent(s) shall not release a related foster child to anyone (including the child's own parent or parents) except as authorized by the supervising agency.

(Source: Amended at 15 Ill. Reg. , effective)

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Section 335.332 Confidentiality of Information

Information concerning a related foster child, his or her family and background shall be treated as confidential by all persons involved with the child.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.334 Required Written Consents

- a) The supervising agency shall ensure that written consents from legally responsible persons (parent, court, or other legal custodian or guardian) are obtained for certain acts of a child or performance of certain acts on his or her behalf as required by law, including but not limited to:

- 1) health care and treatment, including medical, surgical, psychiatric, psychological, and dental;
- 2) use of psychoactive drugs;
- 3) religious instruction and/or church attendance in a different faith than that of the parent(s) or guardian;
- 4) work programs, induction into the armed services, driving a car and car ownership;
- 5) visits, trips, or excursions which exceed 72 hours or include out-of-state travel;
- 6) use of photographs for publicity or other purposes; and
- 7) consent to marriage for a child under the age of 18.

- b) Written consents shall be dated and limited to a specific period of time.

- c) Any written or verbal consent or authorization given by persons referred or referenced in paragraph a) above or by others which conflict with any of the requirements of this Part is not valid.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.336 Records To Be Maintained

- a) Records to be maintained by the relative foster family shall include:

- 1) the name and date of birth of the child, the legal guardian of the child, religion of the child, and arrangements for education of the child;

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- 2) a record of immunizations the child has received; any physical problems, limitations, or allergies the child has; any current recommendations for special medical care;
- 3) the name, address, and telephone number of the child's physician, guardian, and supervising agency;
- 4) ~~a daily log of medication prescribed and given;~~
- 4) the names, addresses, and telephone numbers of persons to contact in case of emergency; and
- 5) the name(s) of person(s) to whom the child may be released; and
- 7) ~~a record of waiver(s) for immunizations; medical examinations; and treatment;~~

- b) Records maintained by the foster family shall be kept current and shall be open to inspection by the supervising agency. All persons who have access to the foster family's records shall respect their confidential nature.

(Source: Amended at 15 Ill. Reg. , effective)

Section 335.338 Cooperation With the Supervising Agency and the Department
Authorized representatives of the supervising agency or the Department shall be admitted to the relative foster family home (during reasonable hours) to determine compliance with these rules and any conditions issued pursuant to these rules accompanying approval of the foster family home.

(Source: Amended at 15 Ill. Reg. , effective)

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- 1) Heading of Part: Procedures for Collection of Review and Evaluation Services Costs
- 2) Code Citation: 35 Ill. Adm. Code 859
- 3) Section Numbers:

859.101	New Section
859.102	New Section
859.201	New Section
859.202	New Section
859.203	New Section
859.204	New Section
859.205	New Section
859.301	New Section
859.302	New Section
859.303	New Section

Proposed Action:
- 4) Statutory Authority: Section 22.2(m)(6) of the Environmental Protection Act ("Act") (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1022.2(m)(6)).
- 5) A Complete Description of the Subjects and Issues Involved: Section 22.2(m) of the Act provides that the Illinois Environmental Protection Agency ("IEPA") may provide review and evaluation services of owner or operator initiated actions at sites where hazardous substances or pesticides are present. Section 22.2(m)(6) of the Act requires the IEPA to adopt written procedures detailing the types of services it may provide, as well as the records it will maintain documenting the costs incurred by the IEPA in providing those services.
 Subpart A (Sections 859.101 -- 859.102) sets forth the applicability of, and definitions pertinent to, the proposed rules. Subpart B (Sections 859.201 -- 859.205) establishes certain pre-conditions for the IEPA to enter into a review and evaluation agreement, the types of IEPA services available under such agreements, and the types of records maintained to document IEPA costs. Subpart C (Sections 859.301 -- 859.303) sets forth the procedures related to the reimbursement of IEPA costs.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No

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10) Statement of Statewide Policy Objectives: These new sections do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1989, ch. 85, par. 2203(b)).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on these proposed rules may submit them in writing by no later than 45 days after publication of this notice to:

Charles J. Northrup
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 23, 1991
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None

The full text of the proposed rule begins on the next page:

AUTHORITY: Implementing and authorized by Section 22.2(m)(6) of the Environmental Protection Act ("Act") (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1022.2(m)(6)).

SOURCE: Adopted at _____ Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language

SUBPART A: GENERAL PROVISIONS

Section 859.101 Applicability

This Part applies where the Agency has agreed to provide review and evaluation services for actions at sites where hazardous substances or pesticides may be present under Section 22.2(m) of the Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1022.2(m)).

PART 859

PROCEDURES FOR COLLECTION OF REVIEW AND EVALUATION SERVICES COSTS

SUBPART A: GENERAL PROVISIONS

Section
859.101 Applicability
859.102 Severability
859.103 Definitions

SUBPART B: PROCEDURES FOR MAINTAINING RECORDS OF REVIEW AND EVALUATION SERVICES

Section
859.201 Submission of Requests
859.202 Conditions for Agreements
859.203 Recordkeeping of Services
859.204 Available Documentation
859.205 Available Review and Evaluation Services

SUBPART C: PROCEDURES FOR PAYMENT OF AGENCY COSTS

Section
859.301 Requests for Payment
859.302 Submission of Payment
859.303 Manner of Payment

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859.102 Severability

If any Section, subsection, sentence or clause of this Part shall be judged invalid, such adjudication shall not affect the validity of this Part as a whole or any Section, subsection, sentence or clause thereof not judged invalid.

Section 859.103 Definitions

For the purposes of this Part, the terms below shall be defined as set forth in this Section. Terms not defined below shall have the meanings set forth in the Environmental Protection Act.

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1001 et seq.).

"Agency" means the Illinois Environmental Protection Agency.

"Agency Travel Costs" means costs for payment of travel by individuals employed by the Agency in accordance with 80 Ill. Adm. Code Parts 2800 and 3000. Such costs include costs for lodging, meals, travel, automobile mileage, tolls, taxi fares, parking and miscellaneous items.

"Automobile Operating Costs" means costs associated with automobile leases. These costs do not include costs for fuel for Agency vehicles.

"Costs" means all costs incurred by the Agency.

"Indirect Costs" means those costs incurred by the Agency which cannot be attributed directly to a specific site, but are necessary to support the site specific activities and include such expenses as managerial and administrative services, building rent and maintenance, utilities, telephone, and office supplies.

"Laboratory Costs" means costs for services and materials associated with identifying, analyzing, and quantifying chemical compounds in samples at a laboratory.

"Other Contractual Costs" means costs for contractual services not otherwise specifically identified, including printing, blueprints, photography, film processing, computer services and overnight mail.

"Personnel Services Costs" means costs relative to the employment of individuals by the Agency. Such costs include hourly wages and fringe benefits.

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"Personnel Services Costs Quarterly Report" means the report documenting time spent by Agency personnel performing review and evaluation services at a site.

"Pre-Notice Site" means a site where a corrective action process is being undertaken for which the Agency has not issued a notice under Section 4(q) of the Act (Ill. Rev. Stat., 1989, ch. 111 1/2, par. 1004(q)) or a notice of other legal action under Section 22.2 of the Act (Ill. Rev. Stat. 1989, ch. 111 1/2 par. 1022.2) relative to the release of hazardous substances or pesticides at or from a site. Identification of a site as a "pre-notice site" does not mean that the Agency has determined that a notice under Section 4(q) or a notice of other legal action under Section 22.2 will be issued.

"Professional and Artistic Services Contractual Costs" means costs of consultants and contractors used by the Agency to perform review and evaluation services.

"Response Action Contract" means a state response action contract entered into between the Agency and a contractor under the Responsive Action Contract Indemnity Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7201 et seq.).

"Response Contractors Indemnification Fund" means the Fund established under Section 5 of the Responsive Action Contract Indemnity Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7205).

"Response Contractors Indemnification Fund Costs" means costs paid into the Response Contractors Indemnification Fund as a result of a response action contract entered into by the Agency.

"Section 22.2(m) of the Act" means Section 22.2(m) of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1022.2(m)).

"Supply Costs" means costs for Agency purchases of supply items used in field inspections and sampling, such as photographic film, tape, gloves, booties, and protective clothing.

"Voucher" means a document, on a form prescribed by the Agency, that reflects authorization of payment for costs incurred by the Agency from non-Agency providers.

"Vouchered Costs" means those costs documented on vouchers.

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SUBPART B: PROCEDURES FOR MAINTAINING
RECORDS OF REVIEW AND EVALUATION SERVICES

Section 859.201 Submission of Requests

Requests submitted to the Agency under this Part TO PROVIDE REVIEW AND EVALUATION SERVICES FOR ACTIONS AT SITES WHERE HAZARDOUS SUBSTANCES OR PESTICIDES MAY BE PRESENT shall only be accepted for pre-notice sites.

Requests must be submitted in writing to the Manager, Remedial Project Management Section, Division of Land Pollution Control, at the Agency by the owner or operator of the site or by another person WITH THE WRITTEN CONSENT OF THE OWNER OR OPERATOR. (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1022.2(m)).

Section 859.202 Conditions for Agreements

a) The Agency shall enter an agreement to provide, SUBJECT TO AVAILABLE RESOURCES, REVIEW AND EVALUATION SERVICES FOR removal and remedial ACTIONS AT SITES WHERE HAZARDOUS SUBSTANCES OR PESTICIDES MAY BE PRESENT only if:

- 1) the request is submitted in accordance with Section 859.201 of this Part;
- 2) the owner, operator or other person entering the agreement with the Agency agrees to:
 - A) SUBMIT A WORK PLAN FOR ACTIONS AT THE SITE;
 - B) ALLOW FOR OR OTHERWISE ARRANGE A SITE VISIT OR OTHER SITE EVALUATION BY THE AGENCY;
 - C) PERFORM THE WORK under the work plan AS APPROVED BY THE AGENCY; and
 - D) PAY ANY COSTS, as provided in Section 859.204 of this Part, INCURRED AND DOCUMENTED BY THE AGENCY IN PROVIDING SUCH SERVICES, within 30 days after receiving the billing statement;

3) The individual signing the agreement on behalf of the owner, operator or other person entering the agreement certifies that he or she has the authority to enter the agreement on behalf of the owner, operator or other person; and

4) The Agency receives in advance a partial payment for anticipated costs of Agency review and evaluation services. Such advance partial payment shall not EXCEED \$5,000 OR ONE-HALF OF THE TOTAL ANTICIPATED COSTS OF THE AGENCY, WHICHEVER SUM IS LESS.

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b) After the agreement is signed by the owner or operator or other person the original shall be sent to the project manager assigned by the Agency. A copy shall be sent to the Manager, Remedial Projects Accounting and Procurement Unit or his designee. Upon acceptance of an agreement entered pursuant to this Part, the Agency shall notify in writing the person submitting the agreement of its acceptance.

c) An agreement entered pursuant to this Part may be cancelled by providing written notification to the Agency. The written notification shall be effective 15 days after the Agency's receipt of the notification. WITHIN 180 DAYS AFTER RECEIPT OF THE NOTICE, THE AGENCY SHALL PROVIDE THE OWNER OR OPERATOR WITH A FINAL INVOICE FOR SERVICES PROVIDED prior to the effective DATE OF SUCH NOTIFICATION (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1022.2(m)).

Section 859.203 Recordkeeping of Services

a) Costs shall be tracked within the Agency by the use of a site specific code. Site specific codes shall be assigned at the request of the assigned project manager.

b) All persons originating or processing vouchers associated with review and evaluation services for pre-notice sites shall code the voucher with the assigned site specific code.

c) Each individual employed by the Agency performing review and evaluation services for a pre-notice site shall code his or her time to that site using the site code assigned. Personnel services costs shall be compiled from bi-monthly time and activity reports and reported on the Personal Services Quarterly Report.

d) Contractors selected by the Agency to perform review and evaluation services under this Part shall be procured in accordance with the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132.1 et. seq.).

e) Following each calendar quarter, the Agency shall compile the personnel services costs and all voucher costs associated with each pre-notice site.

Section 859.204 Available Documentation

The Agency shall make available to any person who has entered an agreement pursuant to Section 22.2(m) of the Act and this Part the following documentation with respect to costs of review and evaluation services related to the site for which the agreement was entered:

- a) Personal Services Costs Quarterly Report;

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- b) Vouchers for Agency Travel Costs;
- c) Vouchers for Automobile Operating Costs;
- d) Vouchers for Professional and Artistic Services Contractual Costs;
- e) Vouchers for Response Contractor Indemnification Fund Costs;
- f) Vouchers for Laboratory Costs;
- g) Vouchers for Supply Costs; and
- h) Vouchers for Other Contractual Costs.

Section 859.205 Available Review and Evaluation Services

The Agency may provide the following types of review and evaluation services with respect to pre-notice sites in response to requests under Section 22.2(m) of the Act and this Part:

- a) Review of investigation reports;
- b) Review of removal and remedial action proposals;
- c) Review of site health and safety plans;
- d) Inspections of the site;
- e) Collection and analysis of site samples;
- f) Assistance with community relations;
- g) Establishment of site cleanup objectives;
- h) Review of corrective action work at the site and evaluation as to whether the work has been performed in accordance with the Agency approved work plan; and
- i) Discussion with Agency employees, owners or operators, or other officials relative to any of the items in subsections (a) through (h) of this Section.

SUBPART C: PROCEDURES FOR PAYMENT OF AGENCY COSTS

Section 859.301 Requests for Payment

- a) If an agreement is entered pursuant to Section 22.2(m) of the Act and this Part, the Agency shall request payment for costs incurred in

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providing the review and evaluation services with respect to the pre-notice site.

- b) Requests for payment shall be submitted no more frequently than quarterly. The request for payment shall comply by line item the costs incurred for the following categories:

- 1) Personnel Services Costs;
- 2) Agency Travel Costs;
- 3) Automobile Operating Costs;
- 4) Professional and Artistic Services Contractual Costs;
- 5) Laboratory Costs;
- 6) Response Contractors Indemnification Fund Costs;
- 7) Other Contractual Costs;
- 8) Supply Costs; and
- 9) Indirect Costs

- c) The request for payment shall deduct any advance partial payment from the costs incurred. A request for payment shall not be sent until the advance payments have been depleted.

Section 859.302 Submission of Payment

Payments of costs incurred by the Agency for the performance of review and evaluation services pursuant to an agreement entered into in accordance with this Part shall be submitted to the Agency within 30 days after receipt of the billing statement, except for advance partial payments which shall be submitted in advance of or concurrent with entering an agreement under Section 859.202 of this Part.

Section 859.303 Manner of Payment

Payment shall be made by check or money order made payable to "Treasurer - State of Illinois, For Deposit to the Hazardous Waste Fund." The check or money order shall identify the site name and the federal employer identification number or social security number of the person entering into an

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agreement under Section 859.202 of this Part. Payment shall be mailed to the Agency at the following address:

Fiscal Services Section
Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276

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1) The Heading of the Part: The Illinois Oil & Gas Act2) Code Citation: 62 Ill. Adm. Code 2403) Section Number: Proposed Action:

240.10 Amend

240.200 New Section

240.210 Repealed, New Section

240.220 Repealed, New Section

240.230 New Section

240.240 Repealed, New Section

240.250 Repealed, New Section

240.260 Repealed, New Section

240.270 Repealed

240.280 Repealed

240.300 New Section

240.310 New Section

240.320 New Section

240.330 New Section

240.340 New Section

240.350 New Section

240.360 New Section

240.370 New Section

240.380 New Section

240.390 New Section

240.395 New Section

240.410 Repealed, New Section

240.420 Repealed, New Section

240.430 Repealed, New Section

240.440 New Section

240.450 New Section

240.460 New Section

240.510 Repealed

240.520 Repealed

240.600 New Section

240.610 Repealed, New Section

240.620 Repealed, New Section

240.630 Repealed, New Section

240.640 Repealed, New Section

240.650 Repealed, New Section

240.655 Repealed

240.660 Repealed

240.670 Repealed

240.680 Repealed

240.700 New Section

240.710 New Section

240.720 New Section

240.730 New Section

240.740 New Section

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240.750 New Section
 240.760 New Section
 240.770 New Section
 240.780 New Section
 240.790 New Section

- 4) Statutory Authority: Implemented and authorized by Section 6 of The Illinois Oil and Gas Act (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5409)

- 5) A complete description of the subjects and issues involved:

The Department is proposing amendments to its permit application procedures, together with the elimination and modification of several definitions. The proposed amendments break out separate permit application procedures for oil and gas production wells and for Class II underground injection control (UIC) wells, in Subparts B and C respectively. (Permit application procedures for geological, coal and structural test holes are moved to a new Subpart N and will be updated in a separate rulemaking.)

The proposed amendments to Subpart B (application procedures for production wells) are largely a clarification of existing rules.

Section 240.200 defines production well to include wells drilled for a water supply for use in enhanced oil recovery projects;

Section 240.210 includes procedures for handling incomplete applications and requirements for grandfathering wells drilled prior to the effective date of the Act;

Section 240.220 enumerates the contents of applications and clarifies existing requirements;

Section 240.230 sets forth requirements for the signing of application depending upon the entity having ownership of the right to drill;

Section 240.240 sets forth the additional requirements for directional drilling that a directional survey be filed after drilling is completed;

Section 240.250 sets forth the requirements for the issuance of the permit; and

Section 240.260 references the spacing requirements of Subpart D for changes in well location.

Subpart C sets forth application procedures for Class II UIC wells to satisfy the requirements of the Department's UIC Program under the

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Federal Safe Drinking Water Act. The provisions of Subpart C reflect the procedures and requirements presently being followed by the Department and incorporate present permitting rules that pertain specifically to UIC wells.

Section 240.300, 240.310, 240.320 and 240.330 parallel the requirements in Subpart B for production wells for the filing and contents of applications and their signing;

Section 240.340, 240.350 and 240.360 set forth specific permitting requirements for well construction and operating parameters, groundwater and potable water supply information and information concerning all wells within the 1/4 mile area of review;

Section 240.370 sets forth requirements for public notice, objections and public hearings in connection with applications for UIC well permits;

Section 240.380 sets forth requirements for the issuance of permits;

Section 240.390 sets forth special requirements for amending permits due to change of injection interval or changes in injection rate or pressure; and

Section 240.395 sets forth requirements for the review of permits issued prior to July 1, 1987, for compliance with the requirements of the UIC Program.

In addition, Section 240.10 is amended, primarily to eliminate unnecessary definitions but also to clarify existing definitions and add definitions for enhanced oil recovery and enhanced oil recovery injection wells.

The proposed amendments to Subpart D of these rules establish the spacing and location requirements for oil and gas wells. These rule amendments were originally proposed December 21, 1990 (14 Ill. Reg. 2140). Due to the significant public comment, particularly regarding spacing requirements for abandoned coal mines and deep gas, the Department withdrew the proposed amendments (15 Ill. Reg. 5110, April 5, 1991) and convened a special meeting of the Oil and Gas Board to which all commenters were invited. As a result of the presentations at the Board's meeting and the Department's further review, the following significant changes have been made to the spacing requirements as they were originally proposed December 21, 1990:

- a) The 160 acre spacing requirements for oil wells deeper than 6000 feet has been eliminated with the result that 40 acre spacing will apply to all oil wells 4000 feet or deeper;

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- b) The 160 acre spacing requirement for gas wells drilled to a depth of 2000 feet to 5000 feet or the top of the Trenton formation has been changed to 40 acres;
- c) The 640 acre spacing requirement for gas wells deeper than 5000 feet or the top of the Trenton has been changed to require a minimum of 160 acres for exploratory wells with the further requirement that spacing be determined for the reservoir after exploration, but prior to production, through a hearing conducted in accordance with the Act and rules;
- d) The 40 acre spacing requirement for coalbed gas wells has been reduced to 10 acres; and
- e) The 640 acre spacing requirement for coal mine gas holes has been reduced to 10 acres.

Additionally, all of Section 240.450 and portions of Section 240.460 have been deleted since they pertain to permitting and are covered in other Sections of this Part. Changes to the definitions in Section 240.10 included in the December 21, 1990 proposal are being proposed separately.

Finally, in Section 240.420, hearing procedures are added for determining location exceptions that would authorize drilling closer to the lease boundary line than the setback requirement. As modified, the proposed amendments to Subpart D provide as follows:

- a) Section 240.410 sets forth spacing and location requirements for oil wells, gas wells, coalbed gas wells and coal mine gas wells and sets forth those wells to which spacing and location requirements do not apply;
- b) Section 240.420 sets forth permissible well location exceptions;
- c) Section 240.430 sets forth exceptions to the well spacing requirements;
- d) Section 240.440 authorizes the twinning of wells;
- e) Section 240.450 sets forth spacing requirements for directional drilling; and
- f) Section 240.460 sets forth procedures for the establishment of special drilling units based upon reservoir characteristics.

The Department is proposing amendments to the provisions relating to well construction, well operation and reporting requirements. The proposed

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amendments break out separate construction, operating and reporting requirements for oil and gas production wells and for Class II UIC wells, in Subpart F and G respectively. (Sections 240.510 and 240.520 pertaining to the setting of surface casing and production casing are repealed since they are included in construction requirements under Subpart F and G.)

Section 240.600 defines production wells to include wells drilled for a water supply for use in enhanced oil recovery projects;

Section 240.610 establishes surface and production casing requirements including setting depths for new wells, production casing requirements for existing wells, and adds a requirement for production through tubing and packer in flowing wells;

Section 240.620 sets forth requirements for remedial cementing of leaking wells;

Section 240.630 sets forth operating requirements including the flaring of casinghead gas, and adds requirements pertaining to hydrogen sulfide gas;

Section 240.640 consolidates and clarifies existing reporting requirements; and

Section 240.650 provides for the confidentiality of proprietary data contained in those reports.

Section 240.710, 240.720 and 240.730 contain surface and production casing requirements for newly drilled, converted and existing UIC wells respectively;

Section 240.740 and 240.750 set forth presently existing tubing and packer, wellhead configuration and operating requirements;

Section 240.760 and 240.770 set forth requirements for internal and external mechanical integrity, which were previously in Section 240.655; and

Sections 240.780 and 240.790 consolidate and clarify existing reporting requirements and provide for the confidentiality of proprietary data.

6) Will this proposed rule replace an emergency rule currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? Yes

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- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: The proposed amendments will have no impact on local units of government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:
Written comments may be submitted within 45 days of the publication of this notice to:

John C. Lynch, General Counsel
Illinois Department of Mines and Minerals
300 West Jefferson, Suite 300
P.O. Box 10137
Springfield, IL 62791-0137

Commenters must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues involved. All comments are due at the above address no later than 5:00 p.m. on July 22, 1991. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on July 10, 1991 at 10:00 a.m. at the Ramada Inn in Effingham, Illinois. Representatives of small businesses are encouraged to comment above the impact of the proposed rulemaking at this public hearing.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: May 28, 1991
- B) Types of small businesses affected: All well operators employing less than fifty people and having less than four million dollars in annual sales.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None
- The full text of the Proposed Amendments begins on the next page.

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TITLE 62: MINING
CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 240
THE ILLINOIS OIL AND GAS ACT

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240.10	Prevention of Waste (Repealed)
240.20	Jurisdiction (Repealed)
240.30	Enforcement of Act (Repealed)
240.40	Delegation of Authority (Repealed)
240.50	Right of Inspection (Repealed)
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240.70	Sworn Statements (Repealed)
240.80	Additional Reports (Repealed)
240.90	When Rules Become Effective (Repealed)
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240.120	Hearings--Notices
240.130	Violations Not Requiring Formal Action
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SUBPART B: PERMIT APPLICATION PROCEDURES AND
PERMIT REQUIREMENTS FOR PRODUCTION WELLS

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240.200	Applicability
240.210	General--Provisions Application for Permit to Drill, Deepen or Convert to a Production Well
240.220	Application--for--Permit--to--Drill--Deepen--or--Convert--Well Contents of Application
240.230	Application--for--Permit--for--Geological--or--Structural--Test--Hoie (Recodified) Authority of Person Signing Application
240.240	Permits--for--Salt--Water--Disposal--or--for--Gas--Air--Water--or--other Liquid--Input--Wells Additional Requirements for Directional Drilling
240.250	Underground--Injection--and--Disposal--Projects Issuance of Permit
240.255	Underground Injection and Disposal Projects (Recodified)
240.260	Application--for--Approval--of--Enhanced--Recovery--Projects Change of Well Location
240.270	Application for Approval of Enhanced Recovery Injection and

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240.280 Disposal Operations (Repealed)
Duration of Underground Injection Well Orders (Repealed)

SUBPART C: TRANSFER-OF-OWNERSHIP-AND-BONDING PERMIT
APPLICATION PROCEDURES FOR CLASS II UIC WELLS

240.300 Applicability
240.301 Transfer of Management (Recodified)
240.302 When-Bonds-Required-Amount-(Recodified) Application for Permit to Drill, Deepen or Convert to a Class II UIC Well
240.303 Kind-of-Bond-Execution-(Recodified) Contents of Application
240.304 Bond-of-Manager-(Recodified) Authority of Person Signing Application
240.305 Bond-Form--Approval-(Recodified) Proposed Well Construction and Operating Parameters
240.306 Surety-May-Cancel-Bond-(Recodified) Groundwater and Potable Water Supply Information
240.307 Mining-Board-May-Cancel-Bond-(Recodified) Area of Review
240.308 Casing-Puller's-Bond-(Recodified) Public Notice
240.309 Issuance of Permit
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240.311 Update of Class II UIC Well Permits Issued Prior to July 1, 1987

SUBPART D: SPACING OF WELLS

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240.401 General-Spacing-Rules Drilling Units
240.402 Secondary-Recovery Well Location Exceptions within Drilling Unit
240.403 Nonconforming-Well-to-be-Plugged Drilling Unit Exceptions
240.404 More Than One Well on a Drilling Unit
240.405 Directional Drilling
240.406 Special Drilling Units Based Upon Reservoir Characteristics

SUBPART E: DRILLING AND CASING PROCEDURES

240.500 Section
240.501 Rotary Drilling Procedure (Repealed)
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SUBPART F: WELL CONSTRUCTION, OPERATING AND REPORTING REQUIREMENTS
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240.623 Collection-of-Drill-Cuttings Reporting Requirements
240.624 Operating-Requirements-for-Enhanced-Recovery-Injection-and-Disposal
240.625 Wells Confidentiality of Well Data
240.626 Mechanical Integrity Testing for Class II Injection Wells (Repealed)
240.627 Monitoring and Reporting Requirements for Enhanced Recovery
240.628 Injection and Disposal Wells (Repealed)
240.629 Avoidable Waste of Gas (Repealed)
240.630 Escape of Unburned Gas Prohibited (Repealed)

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AND REPORTING REQUIREMENTS FOR CLASS II UIC WELLS

240.700 Applicability
240.701 Avoidable-Waste-of-Gas-(Recodified) Surface and Production Casing Requirements for Newly Drilled Class II UIC Wells Drilled After the Effective Date of this Section
240.702 Escape-of----Unburned-Gas--Prohibited--(Recodified) Surface and Production Casing Requirements for Conversion to Class II UIC Wells
240.703 Surface and Production Casing Requirements for Existing Class II UIC Wells
240.704 Other Construction Requirements for Class II UIC Wells
240.705 Operating Requirements for Class II UIC Wells
240.706 Internal Mechanical Integrity Testing for Class II UIC Wells
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240.708 Reporting Requirements for Class II UIC Wells
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SUBPART H: GENERAL LEASE OPERATING REQUIREMENTS AND
AVOIDANCE OF SURFACE POLLUTION

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240.803 Pipes to be Kept in Repair
240.804 Burn Off Pits
240.805 Lease Tank Reservoirs
240.806 Fire Hazards at Well Locations
240.807 Mining Board Supervision
240.808 Yearly Inspection--of Pits--Revocation of Permits--Orders for Corrective Action and Other Disposal
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Casing Puller's Bond

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240.920 Definitions
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240.1110 Definitions
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240.1140 General Plugging Procedures and Requirements
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SUBPART L: TRANSFER OF OWNERSHIP AND BONDING

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SUBPART M: PROTECTION OF WORKABLE COAL BEDS

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SUBPART N: OTHER WELLS

Section
240.1400 Application for Permit for Geological or Structural Test Hole

SUBPART O: VALIDITY OF RULES

Section
240.1500 Severability

AUTHORITY: Implementing and authorized by Sections 6 and 8a of The Illinois Oil and Gas Act (Ill. Rev. Stat. 1989, ch. 96 1/2, pars. 5409 and 5413).

SOURCE: Adopted November 7, 1951; emergency amendment at 6 Ill. Reg. 903, effective January 15, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 5542, effective April 19, 1982; codified at 8 Ill. Reg. 2475; amended at 11 Ill. Reg. 2818, effective January 27, 1987; amended at 14 Ill. Reg. 2317, effective January 25, 1990; recodified at 14 Ill. Reg. 3053; amended at 14 Ill. Reg. 13620, effective August 8, 1990; amended at 14 Ill. Reg. 20427, effective January 1, 1991; recodified at 15 Ill. Reg. _____; amended at 15 Ill. Reg. _____, effective _____.

(NOTE: Capitalization denotes statutory language.)

SUBPART A: GENERAL PROVISIONS

Section 240.10 Definitions

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"Annular or casing injection/disposal well"--means a well into which fluids are injected between the surface casing and the well bore, the surface casing and the production casing, and/or the production casing and the tubing, or a well into which fluids are injected which does not have production casing, tubing and/or packer.

"Cement"--means all petroleum industry cements meeting the requirements set forth in "Specifications for Oil Well Cements and Cement Additives", API Standard 10A, January, 1974, published by the American Petroleum Institute, 1220 L Street, Northwest, Washington, D.C. 20005 (this incorporation does not include any later publications or editions), except as provided in Subpart K of these rules. As used herein shall mean Portland or "heat" cement.

"Class II UIC well"-- means a well into which fluids are injected:

Which are brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production and may be commingled with wastewaters from gas plants which are an integral part of production operations unless those waters are classified as a hazardous waste at the time of injection;

For enhanced recovery of oil or natural gas; and

For storage of hydrocarbons which are liquid at standard temperature and pressure.

"Convert"--means to change an oil, gas, Class II UIC, water supply, observation or gas storage well to another of those types of wells, requiring the issuance of a new permit. Shall mean to change an oil or gas-producing well, or a temporarily abandoned well to a well for injection of gas, air, water, or other liquids, or any combination thereof, or to change an injection well to an oil or gas-producing well.

"DEPARTMENT"--MEANS THE DEPARTMENT OF MINES AND MINERALS OF THE STATE OF ILLINOIS.

"Development"--Shall means any work or operation on or appurtenant to the oil and gas leasehold premises, which actively looks toward the drilling of wells for oil or gas, or the discovery of or bringing in production.

"Directional Drilling"--Shall means the controlled directional drilling when the bottom of the well bore is directed away from the vertical position.

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"Disposal Well"--means a Class II UIC well into which fluids brought to the surface in connection with oil or natural gas production are injected for purposes other than enhanced oil recovery.

"DRILLING UNIT"--SHALL MEAN THE SURFACE AREA ALLEGATED BY AN ORDER OR REGULATION OF THE MINING BOARD TO THE DRILLING OF A SINGER WELL FOR THE PRODUCTION OF OIL OR GAS FROM AN INDIVIDUAL POOL. (1987 Ill. Rev. Stat., Ch. 96-1/2, par. 5481)

"ENHANCED OIL RECOVERY Injection Well"--MEANS ANY SECONDARY OR TERTIARY RECOVERY METHOD USED IN AN EFFORT TO RECOVER HYDROCARBONS FROM A POOL BY INJECTION OF FLUIDS, GASES OR OTHER SUBSTANCES TO MAINTAIN, RESTORE OR AUGMENT NATURAL RESERVOIR ENERGY, OR BY INTRODUCING GASES, CHEMICALS, OTHER SUBSTANCES OR HEAT OR BY IN-SITU COMBUSTION, OR BY ANY COMBINATION THEREOF. means a well into which fluids are injected to increase the recovery of hydrocarbons.

"Enhanced Oil Recovery Injection Well"--means a Class II UIC well used for enhanced oil recovery.

"Fresh Water"--Shall means surface and subsurface water in its natural state useful for drinking water for human consumption, domestic livestock, irrigation, industrial, municipal and recreational purposes, and which will support aquatic life and contains less than 10,000 mg/liter total dissolved solids and/or less than 5,000 ppm chlorides.

"Lease Tank"--Shall mean the tank or other receptacle into which oil is produced either directly from a well or from a well through a gas separator, gun barrel or similar equipment.

"Log"--Shall mean the systematic detailed written record correctly describing the strata and formations progressively encountered in the drilling of a well for oil or gas, including water, oil and gas formations or other underground resources, with such additional data as is usually recorded in the normal procedure of a drilling, including electric surveying or logging.

"Mud-taken Fluid"--Shall mean any approved mixture of water and clay or other suitable material as the term is commonly used in the industry which will effectively seal the formation to which it is applied.

"Oil String"--Shall mean that string of casing placed in a well and used for the purpose of segregating the horizon or formation from which production is obtained and affording a means of bringing the oil or gas from such productive horizon or formation to the surface.

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"Pattern-Flood"--Shall mean a definite geometric arrangement of the input wells and the producing oil wells with a constant distance between the input and oil wells for any definite pattern.

"Permit"--means the Department's written authorization allowing a well or test hole to be drilled, deepened, converted and/or operated on the bond as principal.

"Permittee"--means the person or entity holding the permit and listed on the bond as principal.

"Plug-or-Plugging"--Shall mean the abandoning of a producing, nonproductive or nonoperative well or the stopping of the flow of oil, gas, or water in a well in accordance with Subpart K of this Part.

"Pollution"--For the purpose of these rules, pollution shall mean movement of fluid waste liquids into an underground source of drinking water so as to create a significant risk to the health of persons.

"Production Casing"--"Uti-String" shall mean that the string of casing placed in a well and used for the purpose of segregating isolating the production or injection formation. Horizon or formation from which production is obtained and affording a means of bringing the oil or gas from such productive horizon or formation to the surface.

"Repressure"--Shall mean to increase the reservoir pressure by the introduction of gas, air or water or other fluid into the reservoir.

"Rotary Drilling"--Shall mean the hydraulic process of drilling a well for oil or gas as such method is commonly used in the industry.

"Secondary Recovery"--Shall mean the recovery obtained by any method whereby oil and gas is produced by augmenting the natural reservoir energy.

"Shooting"--Shall mean the exploding of nitroglycerin or other high explosives in a well hole for the purpose of discovering or increasing the production of oil or gas therefrom or in perforating or parting the pipe therein.

"Special Mud Materials"--Shall mean weighing material such as barium sulfate, bentonitic clays, salt resistant clays, filtration reduction agents and fibrous materials.

"Storage Well"--A well used to inject for storage purposes hydrocarbons which are liquid at standard temperature and pressure.

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"Lease Tank"--Shall mean the a tank or other receptacle into which oil or water is gathered, produced or stored. either directly from a well or from a well through a gas separator, gun barrel or similar equipment.

"The Act"--When used herein shall refer to and means the provisions of the Illinois Oil and Gas Act (Ill. Rev. Stat. 1988--Supp. 1989, ch. 96 1/2, pars. 5401 et seq.).

"Undeveloped Limits of a Mine"--The undeveloped limits of a mine are means that portion of a mine where the entries have not been driven to the boundaries of the mine property.

"Vacuum"--Shall mean pressure which is reduced below the pressure of the atmosphere.

"Waste Liquids"--Shall mean oil field brines, cut oil, bottom sediments, concentrated sulphur water and acid waters.

"Well"--Shall mean any well drilled for the purpose of discovering oil or gas, or for any other purpose in connection with the exploration and production of the same including gas, air and water input wells.

(Source: Amended at Ill. Reg. _____, effective _____, 1990)

SUBPART B: PERMIT APPLICATION PROCEDURES FOR PRODUCTION WELLS

Section 240.200 Applicability

The provisions of this Subpart apply to production wells. As used in this Subpart "production well" means a well drilled for the production of oil or gas, or a well drilled for a water supply for use in connection with an enhanced oil recovery project.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.210 General Provisions Application for Permit to Drill, Deepen or Convert to a Production Well

All applications for permits shall conform or be subject to the following requirements:

- a) Application to be Filed

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1) All applications for permits shall be signed by the owner or manager or by a person authorized to sign for such owner or manager or by a member of an established firm, partnership or association. Any person may sign for a corporation who is duly authorized to do so. Persons so authorized shall either sign personally or as Attorney in fact. If such person signs as an Attorney in fact, then a certified copy of the power of attorney shall accompany the application, unless one has been previously filed with the Mining Board.

2) If the application is signed by the manager, he shall furnish the Mining Board with a signed statement accompanying the application that he is the managing operator of the well and will be solely responsible for any and all violations of the Illinois Statutes and the Mining Board Rules in the drilling, testing, completion, operation, and plugging of the well. The manager's responsibility for violations ceases if a new manager is appointed and furnishes the Mining Board with a signed managing operator's statement, as above provided.

b) Copy of Evidence of Ownership to be Attached-

No person shall be issued a permit for any purpose unless he has custody and control of the lands involved, either by being the fee owner or by having a valid lease or agreement with the owners of the right to drill for oil and gas on the lands in question, proof of which shall be submitted by the applicant, by either attaching to the application certified copies of the original instruments or photostatic copies thereof, or, at the election of the applicant, by submitting a form to be furnished by the Mining Board, setting forth all such pertinent facts, which shall be subscribed and sworn to by the applicant, who shall certify the facts contained therein are true.

c) When Permit to be Issued-

No permit shall be issued by the Mining Board until the applicant has fully met all requirements and the application is approved by the Department.

d) Permit Issued to Owner or Manager-

All permits shall be issued by the Mining Board in the name of the person, firm or corporation for whom the application is made and who furnishes the bond.

e) Permit Posted at Well Site

When fee permits are required no person shall commence drilling operations until the permit has been issued by the Mining Board and the original, a duplicate or a photostatic copy thereof posted at the well site. The permit shall remain posted at the well site

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until the drilling of the well has been completed.

f) Authority to Deny Permit-

The Mining Board shall have authority to deny a permit to any person, when such person is in violation of the aforementioned Act or any valid and lawful rule or order adopted or promulgated by the Mining Board.

g) Permits Not Transferable-

Permits issued under the Act are not transferable.

a) No person shall drill, deepen or convert any well to a production well without a permit from the Department.

b) Application for a permit to drill, deepen or convert to a production well shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the non-refundable fee of \$100.00 and the required bond under Subpart L.

c) If the application does not contain all of the required information or documents, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to an evaluation of the application, and shall advise the applicant that the application will be deemed denied unless the information or documents are submitted within sixty (60) days following the date of notification.

d) ANY WELL FOR WHICH A PERMIT IS REQUIRED UNDER THE ACT, OTHER THAN A PLUGGED WELL, WHICH WAS DRILLED PRIOR TO THE EFFECTIVE DATE OF THE ACT AND FOR WHICH NO PERMIT HAS PREVIOUSLY BEEN ISSUED, IS REQUIRED TO BE PERMITTED. Application for a permit shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the required bond under Subpart L. If application is made on or before August 14, 1991, no permit fee is required. An application made after that date shall be accompanied by the non-refundable fee of \$100.00. SPACING REQUIREMENTS AND PROVISIONS OF THE ACT AND THESE RULES PERTAINING TO WELL CONSTRUCTION SHALL NOT APPLY. AFTER AUGUST 14, 1991, ANY UNPERMITTED WELL TO WHICH THIS SUBPART APPLIES WILL BE DEEMED TO BE OPERATING WITHOUT A PERMIT AND SUBJECT TO THE PENALTIES SET FORTH IN THE ACT.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. effective _____)

Section 240.220 Application for Permit to Drill, Deepen or Convert Well Contents of Application

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- a) Requirements--
-Before any person shall spud-in or commence the actual drilling of any well for the discovery of oil or gas or commence operations to deepen any well to a different geological formation, or commence any operations on any well which requires the obtaining of a permit under these rules, such person shall file with the Oil and Gas Division of the Department an application for a permit on such form as the Mining Board shall require.
- b) Drill-Out or Deepen-Plugged Well--
-In order to drill-out or deepen a previously plugged well, the same requirements shall apply as stated in Section 240-320(a) except that no permit shall be issued to drill-out or deepen a previously plugged well which is located less than 330 feet from the two nearest external boundary lines of the drilling unit. Exceptions shall be granted when the plugged well adjoins or is on that part of a leasehold on which secondary recovery operations are now or hereafter established.
- c) Contents of Application--
-The application for a permit shall include the following information; viz:
- 1) The name of the leasehold and exact location, by plat, of the well proposed to be drilled, deepened or converted and the approximate location of producing wells previously drilled to the same formation on said leasehold together with the name and approximate location of the offset well or wells on adjoining leaseholds, and a statement as to whether or not such proposed well location is within the limits of any incorporated city, town, or village.
 - 2) Applications for permits shall be certified to by a registered Illinois land surveyor or registered professional engineer who works for the extraction of minerals from the earth.
 - 3) The application shall include the names and addresses of lessor, lessee, owner, or manager and the person responsible for the conduct of operations, and the name of the contractor. The application shall also indicate the type of drilling tools or equipment to be used and the lowest proposed depth and geological formation to be tested or penetrated.
 - 4) When the applicant is not the individual owner or manager, if the applicant is a partnership, firm, association, or corporation, and if a corporation, whether its charter authorizes oil operations, if an assumed business name is

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- used, whether it is registered as provided by the Illinois Statutes, giving county of registration.
- d) Fee--
-The applicant shall remit with the application to either drill, deepen a well to a different geological formation, or convert a well, a fee of one hundred dollars (\$100.00) by check, draft, post office or Express Money Order payable to the State of Illinois and shall give bond as hereinafter provided.
- e) Expiration of Permit--
1) All permits shall be issued to cover a period of one (1) year from the date of issue and shall expire at that time unless acted upon prior thereto by the commencement of operations authorized by the permit, and such operations shall be continued with due diligence until the authorized work is completed, provided always that the Mining Board shall have the authority to revoke a permit when the Mining Board finds that any fraud, deceit, or misrepresentation was made to obtain the issuance of said permit.
- 2) Each such permit shall expire before the period of one (1) year from date of issue when and as the permittee has completed the work specified in such original permit and the well is abandoned as a dry hole or the terms of the lease on the lands in question expire by their own limitation or the lease is canceled or forfeited in the manner provided by law.
- 3) In the event the well for which a permit was issued be productive of oil or gas, then such permit shall continue in full force and effect so long as oil or gas or other petroleum products are produced, saved, or marketed therefrom.
- f) Change of Location
If a permittee requests a change of location for the drilling of the well before its completion and such change is upon the same lease and is not over thirteen hundred and twenty (1320) feet from the original location and such proposed change meets with the approval of the Mining Board, the permittee shall return the original permit together with an amended application for such change of location.
- g) Directional Drilling--
-In controlled directional drilling when the intent is to direct the bottom of the well bore away from the vertical position, in addition to an application for a well permit the applicant shall furnish the Mining Board with the proposed direction of deviation and proposed horizontal distance between the bottom of the well bore and the

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surface location. If a permit is issued by the Mining Board, the permittee shall file with the Mining Board, within thirty (30) days after the completion of the well, a certified accurate and complete copy of the directional survey of said well. No person, company, or organization shall direct, or assist in directing, any well-bore away from the vertical position until the Mining Board has issued a permit for such directional drilling.

The application for a permit to drill, deepen or convert to a production well shall include:

- a) The name of the well.
- b) The surveyed location and ground elevation of the well. A survey is not required for a converted or deepened well, a drilled out plugged hole if the original well location was surveyed, or for a well permitted under Section 240.210(d).
- c) A map showing:
 - 1) the boundaries of the leasehold or enhanced oil recovery unit;
 - 2) the exact location of the well proposed to be drilled, deepened or converted, and an outline of the proposed drilling unit;
 - 3) the location of all producing wells previously drilled on the drilling unit; and
 - 4) the location of all offset wells on adjacent drilling units.

d) Information to show the applicant has the right to drill and to operate a well on the lands in question. The applicant shall submit copies of the operative lease instruments or assignment, or at the election of the applicant, provide the necessary information on a form prescribed by the Department.

e) A statement as to whether such proposed well location is within the limits of any incorporated city, town, or village. If the consent of municipal authorities for the drilling of a well is required, a certified copy of the official consent must be submitted.

f) The name and address of the drilling contractor, and the type of drilling tools or equipment to be used.

g) If the well is located over an active mine, temporarily abandoned mine or within the undeveloped limits of a mine, or if the coal rights are owned by someone other than the lessor under the oil and gas lease, the applicant shall submit documentation establishing

compliance with Section 240.1305 of this Part.

h) The proposed depth of the well and the name of the lowest geologic formation to be tested.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. effective _____)

Section 240.230 Application for Permit for Geological or Structural Test Hole (Repealed) Authority of Person Signing Application

- a) The application for permits to drill, deepen, or convert to a production well shall identify whether the owner of the right to drill and to operate the well is an individual, partnership, corporation or other entity, and shall contain the address and signature of the owner or person authorized to sign for such owner.
- b) If the owner is an individual, the application shall be signed by the individual. If the owner is a partnership, the application shall be signed by a general partner. If the owner is a corporation, the application shall be signed by an officer of the corporation.
- c) In lieu of the signature of the owner or such authorized person, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney is on file with the Department or accompanies the application.

d) The entity or person to whom the permit is issued shall be called the Permittee and shall be responsible for all regulatory requirements relative to the well.

e) If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.

(Source: Former Section recodified to Section 240.1400; New Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.240 Permits for Salt-Water Disposal or for Gas, Air, Water, or other Liquid-Input Wells Additional Requirements for Directional Drilling

In order to prevent waste as defined in the Act, the Mining Board shall require any person desiring to convert any well now drilled or any person desiring to drill or deepen a well for the purpose of injecting gas, air, water, or other liquid into any underground formation or strata to secure a

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permit--therefor--

a) Requirements for Permit--

- 1) In--addition to--complying with--all provisions--enumerated and required in Section--240-210--"General--Provisions"--above--the applicant for a permit for a--salt water disposal well--or for a gas, air,--water, or--other liquid input well--shall provide a bond as required by the Act.
- 2) In--the application--for--a permit for--such input well--the applicant shall indicate the location--of all producing oil and gas wells,--drilling wells or abandoned holes, within one-half (1/2)--mile radius--and all mines or mined out--areas or--the undeveloped limits--of a mine within a like distance--of such proposed well, together--with the names and--addresses of their owners--the name and--description of the--substance--to be injected,--and the depths--and formation--where the--proposed injection will be made--the applicant shall also--submit the log of such input well if previously--drilled, and description and--character of--casing and--cementing operations--behind the same and size of hole drilled--

b) Notice to other Owners or Managers--

Every person desiring to inject--any such substance--into an underground formation or stratum, shall notify the owners or managers of every oil or gas well, including those drilling or temporarily abandoned, and the owner of every mine, including the mined out and undeveloped limits of any mine, within a one-half (1/2)--mile radius, by registered mail on or before the day the application is filed with the Mining Board, and proof of such notice shall accompany said application. The name of the formation shall be included in the notice, and the approximate depth of the top and bottom of the formation to be injected is to be given. On receipt of such application and proof, the Mining Board shall hold the application for ten (10) days--pending the filing of objections--in event objection is made within such time or the Mining Board deems a hearing should be had, notice shall be given to each objector and the applicant of the time and place designated by the Mining Board for such hearing--

c) Authority to Deny Permit--

The Mining Board shall have authority to deny a permit when, in its judgment, there is danger of waste or when it believes the proposed protective work is not sufficient to confine the substance injected to the intended strata.

d) Authority to Suspend Operations

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At any time it seems apparent that the injected substance is not being confined to the intended stratum and is migrating to other stratum or to the surface, the Mining Board shall have authority to suspend operations and after notice and hearing to prohibit the further use of any such well for said purposes--

- e) The applicant shall remit with the application to convert, drill or deepen a well for the purpose of injecting any gas, air, water, or other liquids, or any combination thereof, into any underground formation or strata a fee of one hundred dollars (\$100.00) by check, draft, post office or Express Money Order payable to the State of Illinois.

If the applicant intends to deviate from the vertical, the application shall include a map showing the proposed direction of deviation and proposed horizontal distance between the end of the well bore and the surface location of the well. Within sixty (60) days after the completion of drilling, a certified directional survey of the well must be filed with the Department showing the surface location of the well, the location of the top and bottom of the producing interval and the location of the end of the well bore.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.250 Underground Injection and Disposal Projects Issuance of Permit

Approval must be obtained from this Division before any subsurface injection or disposal project can begin. The operator requesting approval for such a project must provide to the Division any data required by the rules for the proper evaluation of the proposed project.

- a) If the applicant satisfies requirements of the Act and Rules the Department shall issue a permit.

- b) A permit shall not be issued where a final administrative order of the Department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant.

- c) Permits shall expire one year from the date of issuance unless acted upon by commencement of drilling, deepening or converting operations authorized by the permit, which are to be continued with due diligence.

- d) Permits are not transferable prior to the drilling of the well.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

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Section 240.260 Application for Approval of Enhanced Recovery Projects Change in Well Location

- a) An enhanced recovery project shall be permitted only by permit of the Division of Oil and Gas after notice and hearing.
- b) The application for a permit authorizing an enhanced recovery project shall contain the following:
 - 1) The names and addresses of the operator or operators of the project.
 - 2) A plat showing the lease, group of leases or unit included within the proposed project, the location of the proposed injection well or wells and the location of all oil and gas wells including abandoned and drilling wells and dry holes and the names of all operators offsetting the area encompassed within the project.
 - 3) The common source of supply in which all wells are currently completed.
 - 4) The name, description, and depth of each common source of supply to be affected.
 - 5) A log of a representative well completed in the common source of supply.
 - 6) A description of the existing or proposed casing program for injection wells, and the proposed method of testing casing.
 - 7) A description of the injection medium to be used, its source, and the estimated amounts to be injected daily.

No well may be drilled at a location other than that specified on the permit except as provided in Subpart D.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.270 Application for Approval of Enhanced Recovery Injection and Disposal Operations (Repealed)

- a) Each application for the approval of a new enhanced recovery injection well or disposal well shall be filed on Form OG-3. An application for the approval of an injection well which is a part of a proposed enhanced recovery operation may be consolidated with the

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Application for the approval of the enhanced recovery project area.

- b) The application for the approval of an enhanced recovery injection or disposal well or wells shall be accompanied by:
 - 1) A plat showing the location and total depth of the well or wells and each abandoned, producing or drilling well and dry hole within one-half mile of the enhanced recovery injection well or disposal well, and identifying the surface owner of the land on which the enhanced recovery injection or disposal well is to be located, and each operator of a producing leasehold with one-half mile of each enhanced recovery injection or disposal well.
 - 2) If the well has been drilled, a copy of the Completion Report and any available electric or radioactivity log of the well.
 - 3) A schematic diagram of the well showing:
 - A) The total depth of plug-back depth of the well.
 - B) The depth of the injection or disposal interval.
 - C) The geological name of the injection or disposal zone.
 - D) The depths of the tops and bottoms of the casing and cement to be used in the well.
 - E) The size of the casing and tubing and the depth of the packer.
 - 4) Information showing that injection into the proposed zone will not initiate fractures through the overlying strata which could enable the injection fluid or formation fluid to enter freshwater strata.
 - A) When the fluid injection rate is 1000 barrels per day or less or equivalent rate for any fraction of 24 hours:
 - An overlying strata of at least 200 feet in thickness between the base of fresh water and the top of the proposed interval of injection is considered sufficient evidence of fresh water protection.
 - B) When the fluid injection rate is greater than 1000 barrels per day or equivalent rate for any fraction of 24 hours:
 - An overlying strata of at least 500 feet in thickness

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between the lowest base of fresh water and the top of the proposed interval of injection is considered sufficient evidence of fresh water protection.

- G) If the overlying strata is less than required in (A) and (B) above, the Division may administratively approve injection provided a finding is made that such injection will not initiate fractures through the overlying strata into the fresh water strata. Applicant is required to furnish the Division sworn evidence and data in support of such findings.

5) Proposed operating data:

- A) Daily injection rates and pressures.
- B) Geological name, depth and location of injection fluid source.
- G) Standard laboratory analysis of fresh water from two or more fresh water wells within one mile of proposed enhanced recovery injection or disposal well showing location of wells and dates samples were taken, or statement why samples were not submitted.
- D) Standard laboratory analysis of representative sample of water to be injected as part of a disposal or secondary recovery operation.
- E) Geological name of injection zone and vertical distance separating top of injection zone from base of lowest freshwater strata.
- F) Geological name of freshwater zone, if known, and depth of base of fresh water.

c)-

- 1) Notice that an application has been filed shall be published by the applicant in a newspaper of general circulation and published in the county in which the injection or disposal well is located. The applicant shall file proof of publication prior to the hearing or administrative approval. The notice shall include the name and address of applicant, location of proposed well, geologic name and depth of injection zone, maximum injection pressures and maximum B/D injection rate.

- 2) A copy of the notice shall be mailed to the owner of the

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surface of the land on which the injection or disposal well is to be located and to each operator of a producing leasehold within one-half mile of the well location. Copy of evidence of mailing shall accompany the application.

- d) Except as provided in Subpart B, Sections 240-210-(f) and 240-240 (c) that, if a written objection to the application is filed within fifteen (15) days after the application is published, or if a hearing is required by the Mining Board, the application shall be set for hearing. If no objection is filed, and the Division of Oil and Gas does not require a hearing, the permit shall be issued. The Mining Board will require a hearing only if problems with the application cannot be resolved without one.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 240.280 Duration of Underground Injection Well Orders (Repealed)

- a) Permits authorizing injection into enhanced recovery injection wells and disposal wells shall remain valid for the life of the well, unless revoked by the Division of Oil and Gas for just cause.
- b) An Order or Permit granting underground injection may be modified, revoked and reissued, or terminated during its term for cause. This may be at the request of any interested person or at the Division of Oil and Gas's initiative. All requests shall be in writing and shall contain facts or reasons supporting the request.

- c) An Order or Permit may be revoked and reissued and modified after notice and hearing, if:

- 1) There is a substantial change of conditions in the enhanced recovery injection well or the disposal well operation, or there are substantial changes in the information originally furnished.

- 2) Information as to the permitted operation indicates that the cumulative effects on the environment are unacceptable.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

SUBPART C: TRANSFER-OF-OWNERSHIP-AND-BONDING PERMIT
APPLICATION PROCEDURES FOR CLASS II UIC WELLS

Section 240.300 Applicability

The provisions of this Subpart apply to Class II UIC wells.

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(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.310 When--Bonds-Required--Amount--(Recedified) Application for Permit to Drill, Deepen or Convert to a Class II UIC Well

- a) No person shall drill, deepen or convert any well for use as a Class II UIC well without a permit from the Department.
- b) Application for a permit to drill, deepen or convert to a Class II UIC well shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the non-refundable fee of \$100.00 and the required bond under Subpart L.
- c) If the application does not contain all of the required information or documents, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to an evaluation of the application and shall advise the applicant that the application will be deemed denied unless the information or documents are submitted within 60 days following the date of notification.
- d) ANY WELL FOR WHICH A PERMIT IS REQUIRED UNDER THE ACT, OTHER THAN A PLUGGED WELL, WHICH WAS DRILLED PRIOR TO THE EFFECTIVE DATE OF THE ACT AND FOR WHICH NO PERMIT HAS PREVIOUSLY BEEN ISSUED, IS REQUIRED TO BE PERMITTED. Application for a permit shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury, and accompanied by the required bond under Subpart L. If application is made on or before August 14, 1991, no permit fee is required, but all other requirements of this Subpart shall apply. An application made after that date shall be accompanied by the not-refundable fee of \$100.00. AFTER AUGUST 14, 1991, ANY UNPERMITTED WELL TO WHICH THIS SUBPART APPLIES WILL BE DEEMED TO BE OPERATING WITHOUT A PERMIT AND SUBJECT TO THE PENALTIES SET FORTH IN THE ACT.

(Source: Former Section recodified to Section 240.1210; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.320 Kind-of-Bond--Execution--(Recedified) Contents of Application

The application for a permit to drill, deepen or convert shall include:

- a) The name of the well.
- b) The surveyed location and ground elevation of the well. A survey is not required for a converted or deepened well, a drilled out plugged

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hole if the original well location was surveyed, or for a well permitted under Section 240.310(d).

c) A map showing:

- 1) the boundaries of the leasehold or enhanced oil recovery unit, if applicable;
 - 2) the names of all permittees of producing leaseholds within 1/4 mile of the proposed Class II UIC Well;
 - 3) the location of the well proposed to be drilled, deepened or converted;
 - 4) the wells from which fresh water analyses were obtained in accordance with Section 240.350; and
 - 5) the location of all wells penetrating the proposed injection interval within the 1/4 mile area of review as defined in Section 240.360.
- d) If the well is not located within the boundaries of a leasehold or enhanced oil recovery unit, the applicant shall submit documentation showing the applicant's right to drill and to operate the well.
- e) A statement as to whether such proposed well location is within the limits of any incorporated city, town, or village. If the consent of municipal authorities for the drilling of a well is required, a certified copy of the official consent must be submitted.
- f) The name and address of the drilling contractor, and the type of drilling tools or equipment to be used.

g) If the well is located over an active mine, temporarily abandoned mine or within the undeveloped limits of a mine, or if the coal rights are owned by someone other than the lessor under the oil and gas lease, the applicant shall submit documentation establishing compliance with Section 240.1305 of this Part.

h) The proposed well construction and operating parameters in accordance with Section 240.340 of this Part.

i) Evidence of notification required under Section 240.370.

j) Information regarding groundwater and potable water supplies in accordance with Section 240.350.

k) Cementing, casing and plugging records for all wells penetrating the

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injection interval within the 1/4 mile area of review in accordance with Section 240.360.

(Source: Former Section recodified to Section 240.1220; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.330 ~~Bond--of--Manager--(Recodified)~~ Authority of Person Signing Application

a) All applications for permits to drill, deepen, or convert to a Class II UIC well shall identify whether the owner of the right to drill and to operate the well is an individual, partnership, corporation or other entity, and shall contain the address and signature of the owner or person authorized to sign for such owner.

b) If the owner is an individual, the application shall be signed by the individual. If the owner is a partnership, the application shall be signed by a general partner. If the owner is a corporation, the application shall be signed by an officer of the corporation.

c) In lieu of the signature of the owner or such authorized person, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney is on file with the Department or accompanies the application.

d) The entity or person to whom the permit is issued shall be called the Permittee and shall be responsible for all regulatory requirements relative to the well.

e) If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.

(Source: Former Section recodified to Section 240.1230; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.340 ~~Bond-Form--Approval--(Recodified)~~ Proposed Well Construction and Operating Parameters

a) Well Construction Records for Conversion Wells
If the application is for the conversion of a previously drilled well, the applicant shall:

1) submit a complete copy of all available geophysical logs run on the well; and

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2) submit a copy of the initial Completion Report or casing and cementing records of the well; and

3) establish external mechanical integrity in accordance with Section 240.770(c) of this Part.

b) Schematic Diagram

The applicant shall submit a schematic diagram of the proposed injection well showing:

1) the total depth and plugged back depth of the well;

2) the sizes and depths of the holes drilled for the surface casing, mine or intermediate casing, and production casing;

3) the sizes and depths of all casing in the well, and any additional casing to be used in the well;

4) the amount of cement used for each string of casing in the well, and any additional cement to be used in the well;

5) the size of the tubing and setting depth of the packer;

6) the top and bottom depths of all perforated intervals in the casing; and

7) the geologic name and the depth of the top and bottom of the proposed injection interval.

c) Proposed Injection Rate

The applicant shall submit the proposed injection rate expressed in average barrels per day.

d) Injection Fluid

The applicant shall submit the depth and geologic name of the formation(s) from which the injection fluid is to be obtained, a standard laboratory analysis of a representative sample of the fluid to be injected and the date the sample was obtained. The sample shall be analyzed for at least the following parameters: pH, Chloride, Total Dissolved Solids, and Specific Gravity. The sample shall be obtained and analyzed no earlier than one (1) year prior to the date of filing of the application.

e) Proposed Maximum Injection Pressure

1) The applicant shall submit the proposed maximum injection pressure in accordance with the following formula:

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M.I.P. = (.80 - (.433 x Sp.Gr.)) x Depth - 14.7

where

M.I.P. = maximum allowable injection pressure

Sp.Gr. = specific gravity of the injection fluid

Depth = depth of the top of the injection interval

- 2) If the proposed maximum injection pressure exceeds the amount calculated in accordance with subsection (e)(1) above, the applicant shall submit information showing that the proposed maximum injection pressure will not initiate or propagate fractures in the injection interval or overlying strata that could enable the injection fluid or the fluid in the injection interval to leave the permitted injection intervals. The types of information that will be considered acceptable by the Department include, but are not limited to:

A) A copy of the ticket and pressure chart from a "frac" or "acid" treatment in the injection interval in the proposed well, or of the same interval in a nearby well, which shows the Instantaneous Shut-In Pressure (ISIP). The maximum allowable injection pressure shall be ten percent (10%) less than the ISIP measured at the surface unless the specific gravity of the treatment fluid is less than the specific gravity of the proposed injection fluid, in which case the ISIP shall be measured at the injection interval.

B) The results of step rate tests which show that the proposed maximum injection pressure will not propagate fractures allowing the injection fluid to migrate out of the permitted injection interval.

(Source: Former Section recodified to Section 240.1240; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.350 Surety May Cancel Bond (Recodified) Groundwater and Potable Water Supply Information

- a) The applicant shall submit a statement certifying there are no potable water wells located within two hundred (200) feet of the proposed Class II UIC well, and no municipal water supply wells

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located within two thousand five hundred (2500) feet of the proposed Class II UIC well.

b) Fresh Water Analyses

1) The applicant shall submit a standard laboratory analysis of fresh water from two (2) or more fresh water wells located within one (1) mile of the proposed injection well and showing the location and depth of the well, and dates the samples were obtained. The samples shall be analyzed for at least the following parameters: pH, Chloride, Total Dissolved Solids, and Specific Gravity. The samples shall be obtained and analyzed no earlier than one (1) year prior to the date of filing of the application. The locations of the well from which the fresh water samples were obtained shall also be shown on the map required in Section 240.320.

2) If due to circumstances beyond his control the applicant cannot obtain the analysis required under (b)(1) above the applicant submit in lieu of such analysis a statement explaining why the analysis could not be obtained.

(Source: Former Section recodified to Section 240.1250; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.360 Mining-Beard-May-Cancel-Bond-(Recodified) Area of Review

a) The area of review shall include all wells located within one-fourth (1/4) mile of the proposed Class II UIC well, including directionally and horizontally drilled wells, which penetrate the injection interval within one-fourth (1/4) mile of the proposed Class II UIC well.

b) The applicant shall submit evidence that all wells which penetrate the injection formation within the area of review contain an adequate amount of cement and are constructed or plugged in a manner which will prevent the injection fluid and the fluid in the injection formation from entering the freshwater zone. The types of evidence that will be considered acceptable by the Department include, but are not limited to: well completion reports, cementing records, well construction records, cement bond logs, tracer surveys, oxygen activation logs, and plugging records.

c) The applicant shall submit evidence for all wells which penetrate the injection formation within the area of review and which are determined by the Department to contain an inadequate amount of cement or are inadequately constructed or plugged, that injection into the proposed well and formation will not cause contamination of

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the freshwater zone. The Department shall have the authority to determine if the submitted information is acceptable as showing that the freshwater zone will not be contaminated through said well(s).

(Source: Former Section recodified to Section 240.1260; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.370 Gasing-Puttier's Bond-(Recodified) Public Notice

a) Contents of Notice and Publication

Public notice shall be given no earlier than 30 days prior to the filing of the application. A notice that an application for a permit to drill, deepen or convert to a Class II UIC well has been or will be filed with the Department shall be published by the applicant in a newspaper of general circulation and published in the county in which the proposed injection well is to be located. The applicant shall submit the original of the Certificate of Publication to the Department prior to approval of the application. The notice shall include:

- 1) the name and address of the applicant;
- 2) the date the application was filed;
- 3) the legal description of the location of the proposed injection well;
- 4) the geologic name and depth of the injection interval(s);
- 5) the proposed maximum injection pressure and maximum injection rate;
- 6) the address and telephone number for the Oil and Gas Division of the Department; and
- 7) a statement that the public has fifteen (15) days from the date of publication to comment on the application and that comments must be made in writing to the Department.

b) Notice Within the Area of Review

A copy of the published notice, or a letter containing the same information as in the notice, shall be mailed by Certified Mail-Return Receipt Requested to the owner of the surface of the land on which the proposed injection well is to be located, and to each permittee of a producing leasehold and the owner or manager of all mines, including the mined-out area and undeveloped limits of all mines, located within one-fourth (1/4) mile of the proposed Class II UIC well. Evidence of mailing shall be submitted to the

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Department prior to approval of the application. The returned Certified Mail receipt card, or a photostatic copy of such, shall serve as evidence of mailing.

c) Objections

If a written objection to the application is filed within fifteen (15) days after the date of publication of the notice of application, the Department shall consider the objection in determining whether the permit should be issued. If the objection raises a factual or legal question regarding the sufficiency of the application in meeting the requirements for a permit, the permit objection shall be set for a public hearing. A hearing shall be set only after all other requirements for issuance of the permit have been fulfilled.

d) Public Hearing

1) Any public hearing held pursuant to subsection (c) above shall be an informal hearing conducted by the Department solely for the purpose of resolving the factual or legal question raised by the objection.

2) Notice of the hearing shall be sent by the Department to the applicant and to the objector by mailing such notice by United States mail, postage prepaid, addressed to their last known home addresses.

3) A certified court reporter shall record the hearing at the Department's expense.

4) A Hearing Officer designated by the Department shall conduct the hearing. The Hearing Officer shall allow all parties to the hearing to present evidence in any form, including by oral testimony or documentary evidence, unless the Hearing Officer determines such evidence is irrelevant, immaterial, unduly repetitious, or of such a nature that reasonably prudent members of the public or people knowledgeable in the oil and gas field would not rely upon it in the conduct of their affairs.

5) The Hearing Officer shall have the power to continue the hearing or to leave the record open for a certain period of time in order to obtain or receive further relevant evidence.

6) Within ten (10) days of the closing of the record or the receipt of the transcript of the hearing, whichever comes later, the Department shall render a decision on the objection.

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(Source: Former Section reclassified to Section 240.1270; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.380 Issuance of Permit

- a) If the applicant satisfies the requirements of the Act and Rules, the Department shall issue a permit.
- b) A permit shall not be issued where a final administrative order of the Department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant.
- c) Permits shall expire one year from the date of issuance unless acted upon by commencement of drilling, deepening or converting operations authorized by the permit, which are to be continued with due diligence.
- d) Permits are not transferable prior to the drilling of the well.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.390 Permit Amendments

a) Change of Injection Interval

- 1) The permittee shall not change the injection interval without obtaining a permit amendment from the Department.
- 2) The permittee shall make application for amendment on a form provided by the Department.
- 3) The application for amendment shall include all the information or data required under and be in accordance with Sections 240.320 and 240.330, except that a survey under Section 240.320(b) is not required.

b) Change in Injection Pressure or Rate

- 1) The permittee shall not inject at a pressure or rate greater than the maximum permitted pressure or rate without obtaining a permit amendment from the Department.
- 2) The permittee shall make application for amendment on a form prescribed by the Department.
- 3) The application for amendment shall include all of the

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information or data required under and be in accordance with Sections 240.330 and 240.340(c) and (e).

c) Change in Well Location

No well may be drilled at a location other than that specified on the permit except as provided in Subpart D of this Part.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.395 Update of Class II UIC Well Permits Issued Prior to July 1, 1987

- a) All Class II UIC wells permitted as injection or disposal wells prior to July 1, 1987 that have not previously been reviewed in conjunction with the Department's Class II UIC Program shall be reviewed by the Department to establish:

- 1) current injection intervals;
- 2) maximum injection pressures and rates in accordance with Section 240.340(c) and (e); and
- 3) compliance with well construction requirements for existing Class II UIC Wells in accordance with Sections 240.730, 240.740 and 240.770 of this Part.

- b) Within thirty (30) days of receiving written notice of a well review under this section, the permittee shall submit all requested information and records necessary to enable the Department to complete its review and update of the permit.

- c) Based upon the review, the Department shall either:

- 1) update the Class II UIC well permit for specified injection intervals with maximum injection rate and pressure; or
- 2) notify the permittee of any remedial work that must be completed to bring the well into compliance.

- d) If the Department notifies the permittee that remedial work is necessary, the permittee shall shut in the well until such work is completed.

(Source: Added at 15 Ill. Reg. _____, effective _____)

SUBPART D: SPACING OF WELLS

Section 240.410 General Spacing-Rules Drilling Units

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The Mining Board shall not issue a permit for the drilling or deepening of a well for the production of oil or gas within the State of Illinois unless the proposed well location and spacing substantially conform to the following:

- a) Wells Drilled or Deepened to Sandstone or Limestone Formations
- 1) The well shall be located not less than 330 feet from the two nearest external boundary lines of a drilling unit which shall be established by the Mining Board and shall consist of:
 - A) a minimum of ten (10) acres of surface area to an individual well drilled or deepened for the production of oil or gas from a sandstone formation; or
 - B) a minimum of twenty (20) acres of surface area to an individual well drilled or deepened for the production of oil or gas from a limestone formation;
 - 2) provided, however, the Mining Board may permit the allocation of greater acreage to an individual well than that above specified whenever the Mining Board deems it to be practical or expedient to do so;
- b) Drilling Unit
- 1) The drilling unit for a well to be drilled or deepened for the production of oil or gas from a sandstone formation shall consist of ten (10) acres of surface area lying within the quarter quarter section of land as established by the official United States Public Land Survey made pursuant to the provisions of an Act of Congress.
 - 2) The drilling unit for a well to be drilled or deepened for the production of oil or gas from a limestone formation shall consist of twenty (20) acres of surface area lying within the east west or north south one half of a quarter quarter section of land as established by the official United States Public Land Survey made pursuant to the provisions of an Act of Congress.

c) Separately Owned Tracts Within Drilling Unit

- 1) When two or more separately owned tracts of land are embraced within a proposed drilling unit, the Mining Board shall establish the boundary lines of such drilling unit and shall require the owners of any interest in the oil and gas underlying such separately owned tracts to integrate their interests and develop said lands as a drilling unit before a permit is issued

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to drill or deepen a well thereon for the production of oil or gas.

- 2) In the event the owners of any interest in the oil and gas underlying such separately owned tracts in a proposed drilling unit have not agreed to integrate their interests and develop said lands as a drilling unit, then such owners of either tract may file with the Mining Board an application for a permit to drill or deepen a well for the production of oil or gas. The applicant shall furnish all pertinent data and information requested or required by the Mining Board. Whereupon the Mining Board shall after notice to all parties in interest and hearing on said application, enter an order either approving or denying said application; and if approved, the Mining Board shall, by said order, require the integration of such separately owned tracts in the established drilling unit and may in said order allocate a portion of the production to the owner of each tract and designate the owner or operator to develop and operate the integrated unit.
- d) Twin Wells
- Twin wells may be drilled on a drilling unit to different sandstone or limestone formations, allocating the acreage in the drilling unit for each producing formation as above provided.
- e) Wells Within Corporate Limits
- A certified copy of the official consent of the municipal authorities to drill or deepen a well located within the limits of any city, incorporated village, or town must accompany the application for a permit. A certified copy of consent of the municipal authorities is also required for an amended location.

f) Exceptions

- 1) Whenever the topographical conditions of a drilling unit render it impractical, without unreasonable expense, to drill a well at a location in conformity with the spacing rules, the Mining Board may alter the location after investigation and verification of the topographical conditions.
- 2) In those areas where the U.S. Government has not made an official survey, in areas covered by the old French Surveys and Grants, in meandered lands, in government lots, and in subdivisions thereof where the acreage in quarter quarter sections and quarter quarter sections does not conform to the spacing and drilling requirements of the law and the rules and regulations, the Mining Board shall have the authority to establish drilling units and to grant

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exceptions for wells when such drilling units are approximately ten (10) acres for sandstone horizons and twenty (20) acres for limestone horizons and will not cause a greater well density than would be encountered in regular official surveys.

- 3) In case of irregular sections containing more or less than 640 acres, the Mining Board shall have the authority to allow exceptions or create units other than quarter-quarter sections in sandstone horizons and other than half quarter-quarter sections in limestone horizons so as to allow approximate units of ten (10) acres in sandstone and twenty (20) acres in limestone horizons in order to absorb the entire acreage in such sections into units as aforesaid.

- 4) Gas, air, water, or other liquid input wells, salt water disposal wells, and structure tests are exempt from any spacing requirements.

- 5) In order that a proposed well may be located over an existing or proposed pillar of a mine property, the foregoing spacing requirements may be waived by the Mining Board when the well to be drilled or deepened for oil or gas will penetrate an active mine, the mined out or inaccessible portion of an active mine, a temporarily abandoned mine, or the undeveloped limits of any such mine property.

- 6) Each person desiring the Mining Board to grant an exception for a reason other than those specified in paragraphs (1), (2), (3), (4), and (5) of this subsection (f) shall submit with his application for permit a statement setting forth the desired exception and the reasons or necessity therefor, and giving in detail the action the applicant has taken in such matter. The applicant shall notify, by registered mail on or before the day the application is filed with the Mining Board, the owner or manager of every oil and gas well within one-half (1/2) mile radius of the proposed well location, and proof of such notice shall accompany said application. Upon receipt, the Mining Board shall hold such application and proof of notice ten days for possible objections. In the event objection is made within such time or the Mining Board shall give notice to each owner or manager listed in the proof of notice, and to the applicant, of the date and place designated by the Mining Board for such hearing. After such hearing the Mining Board shall either issue or deny the permit.

a) Oil Wells

The Department shall not issue a permit for the drilling or deepening of a well for the production of oil within the State of Illinois

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unless the proposed well location and spacing conform to the following drilling units:

- 1) ten (10) acres of surface area lying within the quarter-quarter section of land (as established by the official United States Public Land Survey) for wells drilled or deepened for the production of oil from a reservoir other than limestone/dolomite, the top of which lies less than four thousand (4,000) feet beneath the surface; the location of the well shall not be less than three hundred thirty (330) feet from the nearest external boundary lines of the drilling unit; or
- 2) twenty (20) acres of surface area lying within the east-west or north-south one-half of a quarter-quarter section of land (as established by the official United States Public Land Survey) for wells drilled or deepened for the production of oil from a limestone/dolomite reservoir, the top of which lies less than four thousand (4,000) feet beneath the surface; the location of the well shall not be less than three hundred thirty (330) feet from the nearest external boundary lines of the drilling unit; or
- 3) forty (40) acres of surface area lying within a quarter-quarter section of land (as established by the official United States Public Land Survey) for wells drilled or deepened for the production of oil from a reservoir, the top of which lies at or below four thousand (4,000); the location of the well shall be not less than three hundred thirty (330) feet from the nearest external boundary lines of the drilling unit nor less than nine hundred (900) feet from the nearest location of a producing well or well being drilled or for which a permit has previously been issued but not yet drilled for a well to the same individual reservoir;

b) Gas Wells

The Department shall not issue a permit for the drilling or deepening of a well for the production of gas within the State of Illinois unless the proposed well location and spacing conform to the following drilling units:

- 1) ten (10) acres of surface area lying within the quarter-quarter section of land (as established by the official United States Public Land Survey) for wells drilled or deepened for the production of gas from a reservoir other than limestone/dolomite, the top of which lies less than two thousand (2,000) feet beneath the surface; the location of the well shall not be less than three hundred thirty (330) feet from the nearest external boundary lines of the drilling unit; or

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2) twenty (20) acres of surface area lying within the east-west or north-south one-half of a quarter-quarter section of land (as established by the official United States Public Land Survey) for wells drilled or deepened for the production of gas from a limestone/dolomite reservoir, the top of which lies less than two thousand (2,000) feet beneath the surface; the location of the well shall not be less than three hundred thirty (330) feet from the nearest external boundary lines of the drilling unit; or

3) forty (40) acres of surface area lying within a quarter-quarter section of land (as established by the official United States Public Land Survey) for wells drilled or deepened for the production of gas from a reservoir, the top of which lies between two thousand (2,000) feet below the surface, and five thousand (5,000) feet or the top of the Trenton Formation, whichever depth is greater; the location of the well shall not be less than three hundred thirty (330) feet from the nearest external boundary lines of the drilling unit nor less than nine hundred (900) feet from the nearest location of a producing well or well being drilled or for which a permit has previously been issued but not yet drilled for a well to the same individual reservoir.

4) In the case of wells drilled or deepened for the production of gas from a reservoir lying below five thousand (5,000) feet or the top of the Trenton formation, whichever depth is greater, no permit shall be issued for an exploratory well unless the proposed spacing and well location provide for a minimum of 160 acres of surface area lying within a quarter section of land (as established by the official United States Public Land Survey) with the well location not less than six hundred sixty (660) feet from the nearest external boundary line of the drilling unit. After completion of the exploratory well or wells, but prior to commencement of production activities, application shall be made and the Department shall determine drilling units for the reservoir in accordance with Section 21.1 of the Act (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5433) and Section 240.460 of this Subpart.

5) For the purposes of this Subpart:

- A) "Gas" means a mixture of hydrocarbons and varying quantities of non-hydrocarbons in a gaseous state which may or may not be associated with oil, including those liquids resultant from condensation, but not including casinghead gas; and

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B) "Gas well" means a well with a gas to oil production ratio equal to or greater than 10,000 cubic feet of gas to 1 barrel of oil.

c) Coalbed Gas Wells

The Department shall not issue a permit for the drilling or deepening of a well for the production of coalbed gas from unmined seams of coal unless the proposed well location and spacing conform to drilling unit requirements of ten (10) acres of surface area lying within a quarter-quarter section of land (as established by the official United States Public Land Survey); the location of the well shall be not less than three hundred thirty (330) feet from the nearest external boundary lines of the drilling unit.

d) Coal Mine Gas Wells

The Department shall not issue a permit for the drilling or deepening of a well for the production of gas from an abandoned coal mine unless the proposed well location and spacing conform to drilling unit requirements of ten (10) acres of surface area lying within a quarter-quarter section of land (as established by the official United States Public Land Survey); the well location and set back requirements within the drilling unit shall not apply, but the well shall not be located less than three hundred thirty (330) feet from any property or lease boundary line.

e) Other Wells

Class II UIC wells, coal, mineral and structure test holes, observation wells, water supply wells used in relation to oil or gas production, and gas storage wells, are exempt from the requirements of this Section.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. effective _____.)

Section 240.420 Secondary-Recovery Well Location Exceptions within Drilling Unit

Spacing--regulations for oil wells will not be waived in areas where the applicant declares an intention to undertake a proposed secondary recovery operation; until one or more input wells are first drilled or other wells are actually converted to input wells after permits have been issued for such conversion.

- a) Pattern-Flood

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1) When an applicant applies for a permit to drill or deepen an oil well at a location which complies with the regular spacing requirements set out in Subpart D-240.410(a), a permit shall be issued by the Mining Board.

2) When an applicant applies for a permit to drill or deepen an oil well using the same spacing pattern as that used in an adjacent pattern flood, a permit shall be issued by the Mining Board.

3) When an applicant applies for a permit to drill or deepen an oil well at a lesser distance to the boundary lines of his leasehold than are the existing oil wells in an adjacent pattern flood, the applicant shall notify, by registered mail, the owners or managers of oil wells in the established secondary recovery projects within one-half mile of the proposed well, stating his intentions as described in his application for a permit. A copy of the notification will be held by the Mining Board ten days after its receipt with the application for a permit. If no written objections are received by the Mining Board from the operators so notified, the permit shall be issued. If written objections are received by the Mining Board within the ten-day period, the Mining Board shall call a hearing to determine the merits of issuing such a permit. After such hearing the Mining Board shall either issue or deny the permit.

b) Other Floods

When the spacing of oil wells and/or input wells is not based on a geometric arrangement as defined in the definition of a pattern flood, the following shall apply:

1) When the location of the proposed oil well requested complies with the regular spacing requirements set out in Section 240.410(a), a permit shall be issued by the Mining Board.

2) When the location of the proposed oil well requested does not comply with the regular spacing requirements set out in Section 240.410(a), the applicant shall notify, by registered mail, the owners or managers of oil wells within one-half mile of the proposed well, stating his intentions as described in the application for a permit. A copy of the notification will be held by the Mining Board ten days after its receipt with the application for a permit. If written objections are received by the Mining Board within the ten-day period, the Mining Board shall call a hearing to determine the merits of issuing such a permit. If no written objections are received by the Mining Board from the operators so notified, the Mining Board shall either issue a permit or, at its discretion, call a hearing to determine the merits of issuing such a permit. If a hearing is

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held, the Mining Board shall subsequently either issue or deny the permit.

e) Record-to-be-Kept

If any owner or manager of a leasehold adjoining a secondary recovery project files with the Mining Board a verified complaint stating that he has reasonable grounds to believe secondary recovery operations are being conducted on the offset leasehold in such manner as to violate or impair his right to recover the oil or gas underlying his leasehold premises, the Mining Board may require the owner or manager of such secondary recovery project to submit to the Mining Board his or its records and data showing the average production from said leasehold, the formation or formations subjected to such secondary recovery operations, and the daily injection volume and pressure of each input well thereon, during the period of two full calendar months preceding the filing of such complaint. If such records have not been kept by such owner or manager, the Mining Board may require that the same be kept for a specified period of time, not to exceed two full calendar months, and furnished to the Mining Board. The information or data submitted by the owner or manager of such secondary recovery project shall be confidential except that the Mining Board may exhibit the same to a complainant. This rule shall not be construed to prevent the Mining Board from taking any other action authorized by the Act which it may deem necessary in order to prevent waste.

a) Whenever the topographical conditions (e.g. hills, creeks, ponds, lakes) or cultural features (e.g. buildings, roadways, powerlines, pipelines) of a drilling unit render it impractical to drill an oil or gas well at a location conforming to the requirements of Section 240.410, an oil or gas well may be drilled at a nonconforming location as follows:

1) the permittee is allowed, without prior approval from the Department to move the location a maximum of thirty (30) feet from the permitted location, provided the amended location is not closer than 330 feet (or other applicable setback) to the nearest lease boundary line, and provided the amended location is surveyed and an amended application, showing the amended location and the reason the location was moved, is submitted to the Department within ten (10) days of moving the location.

2) If the proposed well location is more than thirty (30) feet from a location conforming to the requirements of Section 240.410, an application must be submitted showing the proposed location and the reason the location is requested. Approval for such location must be received from the Department prior to the commencement of drilling. If the proposed location is less than

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330 feet (or other applicable setback) from the nearest lease boundary line, the application shall be accompanied by a written agreement or agreements between the applicant and any leaseholders or mineral rights owners (if no leaseholders exist) whose leases or mineral rights are adjacent to and less than 330 feet (or other applicable setback) from the proposed location. In lieu of the submission of a written agreement or agreements, the applicant shall give notice by certified mail, return receipt requested to any leaseholders or mineral rights owners (if no leaseholders exist) whose leases or mineral rights are adjacent to and less than three hundred thirty (330) feet (or other applicable setback) from the proposed location. The notice shall include the proposed location of the well and the reason the location is requested, and shall inform the leaseholders or mineral rights owners that they may file written objections with the Department within fifteen (15) days after service of the notice. If a written objection is received, the matter shall be set for hearing, which shall be conducted in accordance with the provisions of Section 240.370(d) of this Part.

3) In determining whether to approve a proposed nonconforming location, the Department will consider the feasibility and expense of drilling on location, any hazard or damage to persons or property or to the environment, and whether the proposed location would adversely affect the correlative rights of any of the owners of the reservoir or result in waste or the drilling of unnecessary wells.

b) If at the time of application, a lease immediately adjacent to a proposed drilling unit has producing wells located less than 330 feet from the common boundary line, then a well on the proposed drilling unit may be located at a distance closer than 330 feet but no closer than the distance to the common boundary line of the immediately offsetting well.

c) If a drilling unit is located over an active mine, the mined-out or inaccessible portion of an active mine, an abandoned mine, or the undeveloped limits of a mine, the proposed well can be located so that it will be drilled into an existing or proposed mine pillar subject to the conditions and limitations set forth in subsections (a) and (b) above.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____.)

Section 240.430 Nonconforming-Well-to-be-Plugged Drilling Unit Exceptions

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~~Any well drilled in violation of the permit issued--therefor shall not be allowed to produce oil--or gas, but--after notice and--hearing by--the Mining Board--the said well--shall be--plugged and--abandoned--unless an--exception be granted by the Mining Board.~~

a) In the case of irregular sections containing more or less than six hundred forty (640) acres, in those areas where the United States Government has not made an official survey, in areas covered by the old French Surveys and Grants, in meandered lands, in government lots, and in subdivisions thereof where the acreage in quarter-quarter-sections and quarter-quarter sections do not conform to the requirements of Section 240.410, the Department shall establish drilling units for wells such that drilling units will not cause a greater well density than would be encountered in regular official surveys.

b) If the proposed oil wells will be part of an enhanced oil recovery project, spacing requirements for oil or gas production wells are as follows:

1) Except as provided in subsection (2) below, the drilling unit and well location requirements of Section 240.410 do not apply to an oil well which is part of an enhanced oil recovery project. For purposes of this subpart, an enhanced oil recovery project, is a lease, or a unit composed of a group of leases operating under an agreement which provides for the sharing of production by all of the owners within the unit, which has one or more enhanced oil recovery injection wells permitted and in operation at the time an application for a permit to drill and operate an oil well is filed. The enhanced oil recovery injection wells in operation must be inflecting into the reservoir which will be produced in order for the project to classify as an enhanced oil recovery project.

2) Oil wells permitted and drilled in accordance with this section must be located no less than 330 feet of the nearest lease boundary line or unit boundary except that if at the time of application a lease immediately adjacent to the proposed well has producing wells located less than 330 feet from the common boundary line then the proposed well may be located at a distance closer than 330 feet but no closer than the distance to the common boundary line than the immediately offsetting well.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____.)

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Section 240.440 More Than One Well on a Drilling Unit

More than one well may be drilled on a drilling unit to different reservoirs, allocating the acreage in the drilling unit for each producing reservoir as specified in Section 240.410.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.450 Directional Drilling

For a directionally drilled well, the drilling unit shall be established and the well permitted with reference to the location of the well where it is proposed to be completed. All portions of the reservoir exposed in the well bore shall meet the well location and spacing requirements specified in Section 240.410.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.460 Special Drilling Units Based Upon Reservoir Characteristics

a) Upon application of any person having an interest in oil or gas in all or a portion of a reservoir, the Department shall schedule a public hearing to consider the establishment of a special drilling unit or units for all or a portion of a reservoir for the production of oil or gas.

b) Notice of hearing shall be given by the applicant to all mineral owners within the boundaries set forth in the application, and to all permittees having oil or gas wells within one-half (1/2) mile of the boundaries by certified mail, return receipt requested, and by publication in a newspaper of general circulation in each county in which any portion of the proposed drilling unit or units is located, at least ten (10) days prior to the hearing.

c) If the Department finds, based on the reservoir's geological and engineering characteristics, that a special drilling unit or units is necessary to prevent waste, to protect correlative rights, and to prevent the unnecessary drilling of wells, the Department shall enter an order establishing such drilling unit or units. Each order shall:

- 1) specify the reservoir or portion thereof, and the shape and size of each drilling unit (which shall be uniform for all drilling units); and
- 2) specify the set back from the drilling unit boundaries for the location of the oil or gas well on each drilling unit.

(Source: Added at 15 Ill. Reg. _____, effective _____)

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SUBPART E: DRILLING AND CASING PROCEDURES

Section 240.510 Rotary Drilling Procedure (Repealed)

a) To protect fresh water stratum the following rules on "Drilling Procedure" shall apply to wells drilled with rotary tools:-

b) It is incumbent on the operator to ascertain and set suitable and safe surface casing in all wells drilled from the effective date of these rules in all wells drilled in areas where pressure and formation are unknown; sufficient surface casing shall be run to reach a depth below all utilized fresh water levels and shall be of sufficient size to permit the use of an intermediate string of casing. Surface casing shall be set in or through an impervious formation, and shall be cemented by the pump and plug or displacement method with sufficient cement to circulate to the top of the hole:-

c) In wells drilled in areas where the subsurface conditions have been established by drilling experience, surface casing size at the operator's option shall be set and cemented to the surface by the pump and plug or displacement method at a depth to protect all utilized fresh water:-

d) Cement shall be allowed to set under pressure before drilling the plug in accordance with standards prevailing in the area:-

e) In lieu of surface casing requirements as set out herein and at the option of the operator the flow string may be cemented by the pump and plug or displacement method with sufficient cement to protect all utilized fresh water stratum:-

f) In the event that it is later determined that utilized fresh water strata exist below the surface casing in a producing oil, gas or service well, then the operator, contractor, or owner shall under the supervision of a representative designated by the Mining Board, cause the flow string to be perforated and squeezed with cement to protect such fresh water strata, or take such other measures for the protection of such fresh water strata as are ordered by the Mining Board after notice and hearing.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 240.520 Cable Tool Drilling Rules (Repealed)

a) Before commencing to drill, proper and adequate slush pits shall be constructed for the reception of mud of sufficient quality and

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quantity so--that such mud may be--available if and when--the hole is plugged--

- b) Where cable tools are used--sufficient surface casings shall be set to protect--all utilized--fresh--water--levels--and--subsurface casing shall be cemented--by the pump and plug or--displacement method with sufficient cement--provided--further that any hole--drilled by cable tools where--fresh water stratum--is encountered--fifty (50)--feet or less from the surface--methods other than noted above may be used in setting surface--casings--provided such method--protects all utilized fresh water stratum.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

SUBPART F - WELL CONSTRUCTION, OPERATING AND REPORTING REQUIREMENTS
FOR PRODUCTION WELLS PRODUCTION AND INJECTION WELLS
OPERATING REQUIREMENTS

Section 240.600 Applicability

The provisions of this Subpart apply to wells drilled for the production of oil or gas, or wells drilled for water supply in connection with an enhanced oil recovery project.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.610 Return--of--Completion--Card Construction Requirements For
Production Wells

A--completion card--will be--attached to--each drilling--permit--issued--by the Mining Board--Upon completion of the well for which the permit is issued--the owner--manager--or operator--of--said--well--shall furnish--the--information requested thereon--and shall mail the--same--promptly--addressed to the Oil and Gas Division of the Department of Mines and Minerals--Springfield--Illinois

- a) Surface Casing Requirements for Wells Drilled After the Effective Date of this Section

1) Steel surface casing shall be set to a depth of at least one hundred (100) feet, or fifty (50) feet below the base of the fresh water, whichever is deeper.

2) Surface casing shall be set under the supervision of a Department Well Inspector and the permittee shall give at least twenty-four (24) hours notice to the Well Inspector prior to setting the surface casing.

3) Surface casing shall be cemented in place by circulating cement

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behind the surface casing from the setting depth of the casing to the surface.

- 4) The cement shall be allowed to set in place until it has developed sufficient strength to allow drilling to resume but no less than six (6) hours.

5) In lieu of surface casing, the permittee, upon request and approval from the Department, may circulate cement to the surface behind the production casing. In determining whether to approve the request, the Department will evaluate the depth of the well, the depth of the fresh water and the cementing procedures. If approved, the production casing must be cemented under the supervision of a Department Well Inspector.

- b) Production Casing Requirements for Wells Drilled After the Effective Date of this Section.

Production casing shall be set and cemented in place by circulating cement behind the production casing from the setting depth of the casing to a minimum of two hundred fifty (250) feet above the shallowest producing interval. The casing shall be set no higher than fifty (50) feet above the top of the uppermost producing interval in an open hole completion.

- c) Production Casing Requirements for Existing Wells

1) For all existing wells without production casing:

A) If surface casing was previously set, production casing shall be set and cemented a minimum of two hundred fifty (250) feet in accordance with subsection (b) above.

B) If surface casing was not previously set, production casing shall be set and cemented to surface in accordance with subsection (a)(5) above.

2) Wells drilled prior to the effective date of this Section that contain drive pipe without cement behind the drive pipe will require no further cementing work.

- d) Tubing and Packer in Flowing Wells

All wells flowing as a result of an enhanced oil recovery project shall be produced through tubing and packer. The packer shall be set within two hundred (200) feet of the top of the producing interval.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____.)

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Section 240.620 Well-log-to-be-Fixed Remedial Cementing of Leaking Wells

The Mining Board shall require any owner or manager, as defined by the Act, of any well drilled for oil or gas, to file a log strata encountered in said well and also an electric log, if one has been made, and time log is requested, in the office of the State Geological Survey, Division of the Department of Registration and Education, Urbana, Illinois, within three (3) months after the completion of said well.

If the Department determines through field observation that any well is leaking well bore fluid into the freshwater zone or onto the surface, remedial cementing shall be required. The remedial cementing shall be accomplished by:

- a) perforating and squeezing cement from fifty (50) feet below the base of the fresh water to the surface, or
- b) by extending small diameter tubing behind the production casing to a depth of at least fifty (50) feet below the base of the fresh water and circulating cement to the surface.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____).

Section 240.630 Contents-of-Well-log Operating Requirements

a) Such logs shall show:

- 1) The name, number, location and elevation of the well in accordance with the description required by the Mining Board in the application for the permit to drill such well;
- 2) The name, character, depth and the thickness of the formations passed through or encountered in the drilling of such well and the depth and thickness of each oil, gas, or water-bearing formation or strata encountered;
- 3) The depth and thickness of coal beds and deposits of minerals materials of economic value;
- 4) The results on completion whether the well was dry or productive of oil or gas, and if productive, the initial production;
- 5) If fresh water has been encountered, the approximate capacity;
- 6) The elevation above mean sea level of the point from which the depth measurements are made, stating its height above ground

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level-at-the-well:

- b) The correctness of the log shall be subscribed and sworn to before a notary public; that the statements contained therein are true;
- c) When requested in writing by the owner, any or all information contained in any such log hereby required will be kept confidential until released in writing by the owner thereof or his legal representatives after its judgment in the office of the State Geological Survey; however, no such information shall be kept confidential for more than one (1) year from the date of issue of the drilling permit for the particular well;
- a) The wellhead shall be maintained in a leak-free condition.
- b) All spills of saltwater or oil occurring at the well-site due to a leaking wellhead shall be cleaned up in accordance with Subpart I.
- c) Wells that have not produced for more than two (2) years shall be temporarily abandoned or plugged in accordance with Subpart K.
- d) Casinghead gas, produced in conjunction with oil production, that is not collected for use or sale, shall be flared unless the Department approves an exemption from this requirement. In determining whether to approve an exemption, the Department shall consider the quantity of casinghead gas produced, the topographical and climatological features at the well site, and the proximity of agricultural structures and crops, inhabited structures, public buildings, and public roads and railways.
- e) If Hydrogen Sulfide gas (H_2S) is present in excess of 20 ppm within five (5) feet in any direction of the wellhead or the end of the flare line, the Department shall specify measures to be taken by the permittee to protect against waste and injury to the public health and safety, which may include the erection of flare lines, the posting of warning signs, and the erection of fencing. The Department may also require the setting of a temporary mechanical or cement plug during any period of time in which the well is not producing or during any period of time necessary to effectuate safety measures. In specifying the measures to be taken by the permittee, the Department shall consider the quantities of H_2S being emitted, the topographical and climatological features at the well site and the proximity of inhabited structures, public buildings, and public roads and railways.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____).

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Section 240.640 Collection-of-Drill-Cuttings Reporting Requirements

As provided by the Act, the Mining Board shall notify the person or persons to whom any permit is issued, at the time for the issuance thereof, either to collect or not to collect for the State Geological Survey, drill cuttings representing each run drilled in cable tool wells and each ten (10) feet of distance drilled and drilling time in rotary wells. When so notified by the Mining Board, to collect such cuttings hereby required, the permittee shall obtain containers for such cuttings, and information as to the approved method of collecting drill cuttings from the State Geological Survey, Urbana, Illinois.

a) Well Completion Reports1) Contents

The Well Completion Report shall be completed on a form prescribed by the Department and shall contain:

- A) the name and location of the well;
- B) information on the construction of the well;
- C) information on the producing zones and the type of completion treatment performed on each zone; and
- D) production rates.

2) Newly drilled wells

A Well Completion Report shall be submitted to the Department within thirty (30) days after the conclusion of initial completion activities (i.e. production testing or date of first production).

3) Existing wells

A Well Completion Report shall be completed and submitted to the Department for each workover or recompletion of any existing production well which results in a change of the original well construction or zone of production. The Well Completion Report shall be submitted within thirty (30) days after the completion of any such workover or recompletion activity.

4) Non-productive Wells (Dry Holes)

A Well Completion Report shall be completed and submitted to the Department for each non-productive well or "dry hole". The Well Completion Report shall be submitted within thirty (30) days after attempted completion of the non-productive well.

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b) Well Drilling Report

- 1) For all wells drilled or deepened after the effective date of this Section, a Well Drilling Report shall be completed by the permittee on a form prescribed by the Department.
- 2) The Well Drilling Report shall be submitted to the State Geological Survey in Champaign, Illinois within 90 days after drilling ceases and shall contain:

- A) the name and location of the well;
 - B) drilling information;
 - C) the geologic names and depths of the formations encountered in drilling the well;
 - D) the results of all drill stem tests; and
 - E) a copy of the drilling time or geolograph record if a geophysical log was not run.
- 3) A Well Drilling Report is not required for well conversion not entailing deepening of the well.

c) Geophysical Logs

A copy of all wire line or geophysical logs run on a well shall be submitted to the State Geological Survey within 90 days after drilling ceases.

d) Drill Cuttings1) Notification and Collection of Drill Cuttings

The Department shall notify the permittee when cuttings are required to be collected. Drill cuttings shall be collected for each run drilled in cable tool wells and each ten feet (10') of distance drilled in rotary or air drilled wells. The permittee shall obtain containers for the cuttings, and deliver the cuttings to the Illinois State Geological Survey in Champaign, Illinois.

2) When Drill Cuttings Required

The Department will require drill cuttings for a newly permitted well when drill cuttings have not previously been submitted for any well within one-half (1/2) mile of the newly permitted well. If the newly permitted well is drilled to a depth greater than any other well within one-half (1/2) mile for which drill cuttings were submitted, drill cuttings will be

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required only from the lowest depth previously submitted to the total depth of the newly permitted well.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____).

Section 240.650 Operating-Requirements-for--Enhanced-Recovery--Injection-and Disposal-Well Confidentiality of Well Data

a) Initial-Requirements:

1) Each enhanced-recovery-injection-well-or-disposal-well-shall-be completed, equipped,--operated-and-maintained-in--a-manner-that will-prevent-pollution--of-fresh-water-or-damage--to-sources-of oil-or-gas-and-will-confine--injected-fluids-to-the-interval-or intervals-approved--

2) Injection-of-any-substance-shall-be-through-adequate-tubing-and packer:--in-addition,--for-every-enhanced-recovery--injection well-or-disposal-well,--the-operator-shall-provide-a-one-fourth (1/4)-inch-female-fitting,--with-cut-off-valve,--to-the-tubing-so that--the-amount--of--injection-pressure--being-used--may--be measured-by-a-representative-of-the--Division-of-Oil-and-Gas-by attaching-a-gauge-having-a-one-fourth-(1/4)-inch-male-fitting--

3) Notify--the-Division--of-any--anticipated-change--in-a-project resulting-in-alteration-of-the-conditions-originally-approved--

4) Use-injection-piping,--valves-and-facilities-that-meet-or-exceed design-standards-for-the-maximum-anticipated-injection-pressure and--to-maintain--the-equipment--in-a--safe--and--leak-free condition--

5) Equip--all--injection-wells,--except--steam,--air-and--pipeline quality--gas-wells--with-tubing--and-a--packer-set--immediately above-the-approved-zone-of-injection--

6) Maintain-data-to--show-performance-of-the--project-to-establish that--no-damage--is--occurring-to--life,--health,--property--and natural-resources:--The-data--shall-be-available--for-periodic inspection-by-Division-personnel--

7) Cease-injection-if-there-is--evidence-of-damage-or-upon-written notice-of-the-Division:--

b) Additional-requirements--or-modifications-of-the--above-requirements may--be--necessary--to--fit--specific--circumstances--and--types--of

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projects:--Some-of-the-examples-of-such-requirements-are-as-follows:--

1) Injectivity-tests:--

2) Graphs-of-oil,--water-and-gas-production-vs--time:--

3) Graphs-of--tubing-pressure,--casing-pressure--and-injection-rate vs--time-for-each-injection-well:--

4) Isobaric-maps-of-the-injection-zone,--submitted-annually:--

5) Notification-of-any-change-in-waste-disposal-methods:--

c) If-the-Division-of-Oil-and-Gas-orders-tests-or-remedial-work-that-in its-judgment-are--necessary-to-protect-underground--water,--the-owner or-operator-must,--within-thirty-(30)-days-of-the-order,--commence-the work-ordered-and-continue-it-until-completion:--

When requested in writing by the permittee, the Well Completion Report, Well Drilling Report, geophysical logs, and drill cuttings shall be kept confidential for one (1) year from the date of issuance of the permit for the particular well in accordance with the provisions of Section 3 of "An Act to require the reporting of information essential for the sealing of wells to prevent escape of oil, gas, salt or fresh water or other materials from one stratum to another through such wells", approved July 11, 1939, as amended (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5203).

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____).

Section 240.655 Mechanical Integrity Testing for Class II Injection Wells (Repealed)

a) The-permittee--shall-contact--the-well-inspector--for-the-county-in which-the-well-is--located-at-least-twenty-four-(24)--hours-prior-to the-initial-setting--or-any-resetting--of-the--packer-in-a--Class-II Injection-Well--to-enable-the-inspector-to-be-present-when-the-packer is-set--Setting-of-the-packer-must-be-reported-on-a-form-prescribed by-the-Department:--

b) The-permittee--shall-contact-the--well-inspector-for-the-county-and schedule-an-internal-mechanical-integrity-test-prior-to-commencement of-injection-into:--

1) a-newly-permitted-Class-II-Injection-Well;--

2) a--Class-II--Injection-Well--after-change--to-a--new,--permitted injection-zone;

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- 3) a-Glass--II-Injection-Well--after-resetting-or-movement--of-the packer; and
- 4) a-Glass-II--Injection-Well--after-reactivation--from-temporary abandonment-status--

c) An-internal-mechanical--integrity-test-shall-be-performed-under-the supervision-of-a-Well-inspector:

- i) prior--to-initial--injection-into--a-newly-permitted-Glass--II Injection-Well;--
- 2) prior-to-initial-injection-into-a-Glass-II-Injection-Well-after a-change-to-a-new,permitted-injection-zone;--
- 3) prior-to--resuming-injection-into--any-Glass-II--Injection-Well after--any-work--over-of--the-Well--involving-the--resetting-or movement-of-a-packer;--
- 4) prior-to-initial-injection-into-a-Glass-II-Injection-Well-after the-Well--has--been--reactivated--from--temporary--abandonment status;--
- 5) whenever-the-Department-has-reason--to-believe--based-upon-Well records-or-field-observation;--and--subject-to-the-provisions-of Sections-240-i40;--240-i50-and-240-i70--of-this-Part;--that-the Glass--II--Injection-Well--may--be--leaking--or--improperly constructed;--and

6) at-least-once-every-five-(5)--years-measured-from-the--date-of the-fast-successful-test--

d) All-Glass-II-Injection-Well--not-subjected-to-an-internal-mechanical integrity-pressure-test-as-of--the-effective-date-of--this-Section; shall-be-tested--during-the-5-years-after-the-effective-date--Each permittee-shall-conduct-an-internal--mechanical--integrity-test-on-at least-20%--of-the-permittee's-total-untested-Glass-II-Injection-Well-- each-year--

e) Internal-Mechanical-Integrity-(Part-I):
The-following-pressure-test-shall-be-performed-on-Glass-II-Injection Wells-to-establish-the-internal--mechanical--integrity-of-the-tubing, casing-and-packer-of-the-Well:

- i) Pressure-Test
The-casing-tubing-annulus-above-the-packer-shall-be-tested-under the-supervision--of--the--Department--at--a--minimum--pressure

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differential-between-the-tubing-and-the-annulus-of-50-PSIG-for-a period-of--30-minutes;--in-addition;--the--casing-tubing-annulus starting-test-pressure-shall-not-be-less-than-300-PSIG-and-may vary-no-more-than-five-(5)-percent-of-the-starting-test-pressure during-the-test;--The-Well-may-be-operating-or-shut-in-during the-test;

-2) Monitoring-Test

For--those-Well--which--are-physically--unable--to-perform--the pressure-test--specified-in-subsection-(e)(i)--above--because-the packer--would-unseat;--but-not--because-the-Well-is--improperly constructed;--the-permittee-may-make-application-to--perform-a monitoring-test-in-lieu-of-the-pressure-test-on-forms-prescribed by-the-Department;--An-approved--monitoring-test-Will-consist-of pressuring-the-annulus--to-a-specified-pressure-no-less-than-50 PSIG--and-monitoring--the-positive-annular--pressure--over--a specified-period-of--time;--in-determining-whether--to-approve-a monitoring-test;--and-in-establishing-the-test-parameters--(i.e., positive-annulus-pressure;--tubing-injection-pressure;--injection rate;--monitoring-method-and-length-and-frequency-of-monitoring);-- the-Department-shall-consider-Well-construction-including:--

A) The-volume-of-the-casing-tubing-annulus;

B) Depth-of-packer;--

C) Pressure-below-the-packer;--and

D) Type-of-tubing-and-packer;

f) Any-Glass-II--Injection-Well-which-fails--an-internal-mechanical integrity-test-or-on-which-an-internal-mechanical-integrity-test-has not-been-performed-when--required-by-subsection-(c)--above;--shall-be shut-in-until-the-Well-is-plugged;--converted-to-a-producing-Well;--or until-remedial-work--is-commenced--and-completed-in--accordance-with Section-240-650(c)--and--an-internal-mechanical--integrity-test-is successfully-completed;

g) External-Mechanical-Integrity-(Part-II):

The--external-mechanical--integrity;--is--an--outside--of-the--casing; shall-be-evaluated-by--the-Department--to-establish-that--the-fresh water-and-other-zones-are-protected-from-upward-migration-of-fluids; To-establish--external-mechanical-integrity;--all--Glass-II-Injection Wells--shall--have-cement--placed--behind--the-outermost--string--of production--casing--at--the--depth--of--the--permitted--interval--of injection--(or--above--the--permitted--interval--but--below--the--next highest-injection--interval--in--an--open-hole-completion)--to-prevent fluid--from-migrating--into--the-fresh-water--or-other--unpermitted

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intervals--such cement shall extend--

- i) In any newly drilled Glass--if Injection Well--permitted after the effective date of this Section, at least 250 feet above the top of the permitted interval of injection or the bottom of the casing in an open hole completion.
- 2) In any existing production well permitted for conversion to a Glass--if Injection Well--after the effective date of this Section, at least 100 feet above the top of the permitted interval of injection or the bottom of the casing in an open hole completion.
- 3) In any existing Glass--if Injection Well, other than a well referred to in subsections (a) (1) and (2) above, a sufficient distance above the top of the permitted interval of injection or above the bottom of the casing in an open hole completion--to prevent upward migration of fluid--in determining the sufficiency of cement--the Department shall consider the amount of cement, the location of the packer and the injection pressure.
- 4) If external mechanical integrity, under subsections (a) (1) or (2) above, cannot be demonstrated by cement records or Illinois State Geological Survey record, the permittee may utilize one or more of the following methods--to demonstrate external Mechanical integrity--
 - A) Temperature log indicating top of cement.
 - B) Conventional acoustic cement bond log with travel time and amplitude clearly marked.
 - G) Advanced cement evaluation logs.
 - B) Radioactive tracer--survey--indicating lack of fluid migration behind the casing.
 - B) Oxygen activation log--indicating lack of fluid migration behind the casing.
- h) No newly drilled or converted Glass--if Injection Well--permitted after the effective date of this Section shall be operated until it has demonstrated external mechanical integrity.
- i) If the Department has reason to believe, based upon well records or field observation, that any Glass--if Injection Well--is causing fluid migration into the fresh water--resulting from a failure of external

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mechanical integrity, the permittee shall shut in the well until the well is plugged, converted to a producing well, or until remedial cement work is commenced and completed in accordance with Section 240.660(c) or external mechanical integrity is established in accordance with subsection (g) (4) above.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 240.660 Monitoring and Reporting Requirements for Enhanced Recovery Injection and Disposal Wells (Repealed)

- a) The operator of an enhanced recovery project shall file with the Division an annual report on Form 06-17 not later than thirty (30) days following the twelve (12) months reported--
- b) Failure to file Form 06-17 for one year shall void the order permitting the enhanced recovery project--
- c) The operator shall monitor injection pressure and injection rate of each enhanced recovery injection well or disposal well on a monthly basis with the results reported annually on Form 06-18--
- d) The operator shall file on Form 06-18 an annual report with the Division of Oil and Gas summarizing the results of the monitoring required by (c) above, any casing annulus pressure monitoring used in lieu of pressure testing and any other casing annulus pressure test performed--A well shall not be used for enhanced recovery injection or disposal unless Form 06-18 is filed by April 1 of each year for the previous calendar year--
- e) The operator of an enhanced recovery injection well or disposal well shall, within thirty (30) days notify the Division of Oil and Gas on Form 06-19 of the date upon which injection or disposal commenced. The order authorizing the well shall become null and void eighteen (18) months from the date thereof, unless the Division of Oil and Gas is notified within the eighteen (18) month period--
- f) The operator shall, within thirty (30) days notify the Division of Oil and Gas on Form 06-19 the date injection into an enhanced recovery injection well or project or disposal well is terminated and the reason therefor, at which time the order authorizing the well shall expire. Notification of project injection termination must be accompanied by an individual well status report for all project injection wells.
- g) Mechanical failures or downhole problems which indicate the enhanced recovery injection well or disposal well is not, or may not be, directing the injected fluid into the permitted or authorized

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injection zone may be caused to shut in the well. If said condition may endanger the fresh water, the operator shall orally notify the field inspector within 24 hours. Written notice of this failure shall be submitted to the Oil and Gas Division within five (5) days of the occurrence together with a plan for testing and/or repairing the well.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 240.670 Avoidable Waste of Gas (Repealed)

a) In drilling any well, if a gas sand or stratum is penetrated, the hole must not be left open so that an avoidable escape of gas, which in the opinion of the Mining Board constitutes waste, will occur during further drilling in or through such stratum or during temporary abandonment of the well. The Mining Board may require mud-laden fluid to be applied, or the gas stratum bled off, or any suitable method adopted which will arrest such escape of gas.

b) Gas produced in connection with the production of oil shall be burned in flares where there is no market at the well for escaping gas. The operators of casinghead gas plants operated for the extraction of liquid hydrocarbons from the gas shall burn the residue gas in flares when no market exists at such plant for the residue gas or when the gas is not returned to an oil pool or field for pressure maintenance or repressuring of the oil pool or field.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 240.680 Escape of Unburned Gas Prohibited (Repealed)

The escape of unburned gas from any well into the air or atmosphere is hereby prohibited. All such surplus gas, not otherwise utilized, shall be burned at a safe distance from any well, storage tank or building.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

SUBPART G - WASTE PROHIBITED WELL CONSTRUCTION, OPERATING AND REPORTING REQUIREMENTS FOR CLASS II UIC WELLS

Section 240.700 Applicability

The provisions of this Subpart apply to Class II UIC wells.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.710 Avoidable Waste of Gas--(Recodified) Surface and Production

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Casing Requirements for Newly Drilled Class II UIC Wells Drilled After the Effective Date of this Section

a) Surface Casing

1) Steel surface casing shall be set to a depth of at least one hundred (100) feet, or fifty (50) feet below the base of the fresh water zone, whichever is deeper.

2) Surface casing shall be set under the supervision of a Department Well Inspector and the permittee shall give at least twenty-four (24) hours notice to the Well Inspector prior to setting the surface casing.

3) Surface casing shall be cemented in place by circulating cement behind the surface casing from the setting depth of the casing to the surface.

4) The cement shall be allowed to set in place until it has developed sufficient strength to allow drilling to resume but no less than six (6) hours.

5) In lieu of surface casing, the permittee, upon request and approval from the Department, may circulate cement to the surface behind the production casing. In determining whether to approve the request, the Department will evaluate the depth of the well, the depth of the fresh water and the cementing procedures. If approved, the production casing must be cemented under the supervision of a Department Well Inspector.

b) Production casing

Production casing shall be set and cemented in place by circulating cement behind the production casing from the setting depth of the casing to a minimum of two hundred fifty (250) feet above the shallowest permitted injection interval. The casing shall be set no higher than fifty (50) feet above the top of the uppermost permitted injection interval in an open hole completion.

(Source: Former Section recodified to Section 240.670; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.720 Escape of Unburned Gas--Prohibited--(Recodified) Surface and Production Casing Requirements for Conversion to Class II UIC Wells

a) Surface Casing

For conversions of existing production wells which do not have surface casing completely covering the fresh water zone, further cementing is not required unless it is necessary to establish

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external mechanical integrity in accordance with Section 240.770.

- b) Production Casing
For all conversions of existing production wells, cement shall extend to at least one hundred (100) feet above the injection interval or the bottom of the casing in an open hole completion.

(Source: Former Section recodified to Section 240.680; new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 240.730 Surface and Production Casing Requirements for Existing Class II UIC Wells

- a) Surface Casing
For existing Class II UIC wells which do not have surface casing completely covering the fresh water zone, further cementing is not required unless it is necessary to establish external mechanical integrity in accordance with Section 240.770.

- b) Production Casing
The top of the cement behind the production casing shall be a sufficient distance above the top of the uppermost permitted interval of injection to prevent upward migration of injected fluid. In determining the sufficiency of cement, the Department shall consider the amount of existing cement, the location of the packer and the injection pressure.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.740 Other Construction Requirements for Class II UIC Wells

- a) Injection shall be through tubing and packer. The packer shall be placed no higher than two hundred (200) feet above the uppermost perforations or the casing seat in an open hole completion, provided the packer is within the cemented portion of the production casing such that there is at least fifty (50) feet of cement above the packer, and further provided the packer is no less than one hundred (100) feet below the base of the fresh water. No perforations shall be left open above the packer unless they are isolated by a dual packer or concentric packer system. If a dual packer is used, the uppermost packer must satisfy the placement requirements of this subsection.

- b) The wellhead shall be configured to include a one quarter inch female fitting, with shut-off valve, to allow monitoring of the annulus between the production casing and the injection tubing.

- c) A one quarter inch female fitting, with shut-off valve, shall be

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installed on the tubing to measure the injection pressure.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.750 Operating Requirements for Class II UIC Wells

- a) The wellhead shall be maintained in a leak-free condition.
b) Spills of injected fluids occurring at the well-site due to a leaking wellhead shall be cleaned up in accordance with Subpart I.
c) Wells which have not been operated for more than two (2) years shall be temporarily abandoned or plugged in accordance with Subpart K.
d) The injection pressure shall not exceed the maximum injection pressure established in accordance with Section 240.340(e) of this Part, unless amended in accordance with Section 240.390(b) of this Part.
e) No change shall be made in the permitted injection zones except in accordance with Section 240.390(a) of this Part or Section 240.395 of this Part.
f) Injection fluids shall be confined to the permitted injection zones in the well. If the injection fluids are migrating into unpermitted zones, or into the fresh water zone or to the surface; the permittee shall notify the Department, and shut in the well until remedial action that prevents the fluid migration is completed.

- g) Mechanical integrity must be established in accordance with Sections 240.760 and 240.770.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.760 Internal Mechanical Integrity Testing for Class II UIC Wells

- a) The permittee shall contact the Well Inspector for the county in which the well is located at least twenty-four (24) hours prior to the initial setting or any resetting of the packer in a Class II UIC Well to enable the inspector to be present when the packer is set. Setting of the packer must be reported on a form prescribed by the Department.

- b) An internal mechanical integrity test shall be performed in the presence of a well inspector:

- 1) prior to initial injection into a newly permitted Class II UIC Well;

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- 2) prior to initial injection into a Class II UIC Well after a change to a new, permitted injection zone;
- 3) prior to resuming injection into any Class II UIC Well after any work over of the well involving the resetting or movement of a packer;
- 4) prior to initial injection into a Class II UIC Well after the well has been reactivated from temporary abandonment status;
- 5) whenever the Department has reason to believe, based upon well records or field observation, and subject to the provisions of Sections 240.140, 240.150 and 240.170 of this Part, that the Class II UIC Well may be leaking or improperly constructed; and
- 6) at least once every five (5) years measured from the date of the last successful test.
- 7) The permittee shall contact the Well Inspector for the county in which the well is located at least 24 hours prior to conducting an internal mechanical integrity test except when the Department schedules the test under Subsection (b)(5) above.
- c) All Class II UIC Wells not subjected to an internal mechanical integrity pressure test as of the effective date of this Section, shall be tested within 5 years of the effective date of this Section. Each permittee shall conduct an internal mechanical integrity test each year on at least 20% of the permittee's total Class II UIC Wells.
- d) Internal Mechanical Integrity (Part I):
The following pressure test shall be performed on Class II UIC Wells to establish the internal mechanical integrity of the tubing, casing and packer of the well.

1) Pressure Test

The casing-tubing annulus above the packer shall be tested under the supervision of the Department at a minimum pressure differential between the tubing and the annulus of 50 PSIG for a period of 30 minutes. In addition, the casing-tubing annulus starting test pressure shall not be less than 300 PSIG and may vary no more than five (5) percent of the starting test pressure during the test. The well may be operating or shut in during the test.

2) Monitoring Test

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For those wells which are structurally unable to withstand the pressure test specified in subsection (d)(1) above because the packer would unseat, but not because the well is improperly constructed, the permittee may make application to perform a monitoring test in lieu of the pressure test on forms prescribed by the Department. An approved monitoring test will consist of pressuring the annulus to a specified pressure no less than 50 PSIG and monitoring the positive annular pressure over a specified period of time. In determining whether to approve a monitoring test, and in establishing the test parameters (i.e., positive annulus pressure, tubing injection pressure, injection rate, monitoring method and length and frequency of monitoring), the Department shall consider well construction including:

- A) The volume of the casing-tubing annulus;
- B) Depth of packer;
- C) Pressure below the packer; and
- D) Type of tubing and packer.

e) Any Class II UIC Well which fails an internal mechanical integrity test or on which an internal mechanical integrity test has not been performed when required by subsection (c) above, shall be shut in until the well is plugged or until remedial work is commenced and completed and an internal mechanical integrity test is successfully completed. If the necessary work has not been completed and an internal mechanical integrity test successfully completed within ninety (90) days (or within any greater length of time established by the Department due to weather conditions), the well shall be temporarily abandoned in accordance with Section 240.1130(d) of this Part.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.770 External Mechanical Integrity Testing for Class II UIC Wells

- a) In conjunction with the Internal Mechanical Integrity Testing of Class II UIC Wells, the external mechanical integrity shall be evaluated by the Department to establish that the fresh water is protected from upward migration of injection fluids.
- b) To establish external mechanical integrity, all Class II UIC Wells shall be constructed in accordance with Sections 240.710(b), 240.720(b), or 240.730(b), whichever is applicable.

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c) If external mechanical integrity, under Sections 240.710(b) or Section 240.720(b) cannot be demonstrated by cement records or Illinois State Geological Survey records, the permittee may utilize one or more of the following methods to demonstrate External Mechanical Integrity:

- 1) Temperature log indicating top of cement.
 - 2) Cement bond log showing gamma ray, transit time, collar locator and VDL (Variable Density Log).
 - 3) Advanced cement evaluation logs.
 - 4) Radioactive tracer survey indicating lack of fluid migration behind the casing.
 - 5) Oxygen-activation log indicating lack of fluid migration behind the casing.
- d) If the Department has reason to believe, based upon well records or field observation, that any Class II UIC Well is causing fluid migration into the fresh water zone resulting from a failure of external mechanical integrity, the permittee shall shut in the well until any necessary corrective work is commenced and completed and external mechanical integrity is established in accordance with subsection (c) above, or until the well is plugged.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.780 Reporting Requirements for Class II UIC Wells

a) Well Completion Reports

- 1) Contents
The Well Completion Report shall be completed on a form prescribed by the Department and shall contain:

- A) the name and location of the well;
- B) information on the construction of the well;
- C) information on the injection zones and the type of completion treatment performed on each zone; and
- D) injection rates and pressures.

- 2) Newly drilled or converted wells

A Well Completion Report shall be submitted to the Department

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within thirty (30) days after the conclusion of initial completion activities (i.e., setting of tubing and packer).

3) Existing wells

A Well Completion Report shall be completed and submitted to the Department for each workover or recompletion of any existing injection well. A workover or recompletion includes resetting the packer, remedial cementing, setting a casing liner, and recompletion into an injection zone not previously used for injection in the well. The Well Completion Report shall be submitted within thirty (30) days after the completion of any such workover or re-completion activity.

b) Well Drilling Report

- 1) For all wells drilled or deepened after the effective date of this Section, a Well Drilling Report shall be completed by the permittee on a form prescribed by the Department.

- 2) The Well Drilling Report shall be submitted to the State Geological Survey within 90 days after drilling ceases and shall contain:

- A) the name and location of the well;
 - B) drilling information;
 - C) the geologic names and depths of the formations encountered in drilling the well;
 - D) the results of all drill stem tests; and
 - E) a copy of the drilling time or geolograph record if a geophysical log was not run.
- 3) Well Drilling Reports are not required for well conversions not entailing a deepening of the well.

c) Geophysical Logs

A copy of all wire line or geophysical logs run on the well shall be submitted to the State Geological Survey within 90 days after drilling ceases, or in the case of a conversion, after the completion of conversion activities.

d) Drill Cuttings

- 1) Notification and Collection of Drill Cuttings

The Department shall notify the permittee when cuttings are

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required to be collected. Drill cuttings shall be collected for each run drilled in cable tool wells and each ten (10) feet of distance drilled in rotary or air drilled wells. The permittee shall obtain containers for the cuttings, and deliver the cuttings to the Illinois State Geological Survey in Champaign, Illinois.

2) When Drill Cuttings Required

Drill cuttings shall be submitted for each well when drill cuttings have not previously been submitted from any well within one-half (1/2) mile of the newly permitted well. If the newly permitted well is drilled to a depth greater than any other well within one-half (1/2) mile, drill cuttings shall be requested from the approximate previously submitted depth to the total depth in the newly permitted well.

e) Annual Well Status Report

The permittee of each Class II UIC Well shall file an Annual Well Status Report on forms prescribed by the Department. The report shall be filed by May 1 of each year for the preceding calendar year, and shall include:

- 1) the name and location of the well;
- 2) the names of all injection intervals;
- 3) the setting depth of the packer; and
- 4) the average monthly injection rates and pressures.

f) Annual Enhanced Oil Recovery Project Report

The operator of an enhanced oil recovery project shall file an annual project report on forms prescribed by the Department.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 240.790 Confidentiality of Well Data

When requested in writing by the permittee, the Well Completion Report, Well Drilling Report, geophysical logs, and drill cuttings shall be kept confidential for one (1) year from the date of issuance of the permit for the particular well in accordance with the provisions of Section 3 of "An Act to require the reporting of information essential for the sealing of wells to prevent escape of oil, gas, salt or fresh water or other materials from one stratum to another through such wells", approved July 11, 1939, as amended (Ill. Rev. Stat. 1989, ch. 96 1/2, par. 5203).

(Source: Added at 15 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Pari-Mutuels
- 2) Code Citation: 11 Ill. Adm. Code 405
- 3) Section Numbers
405.180
Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b).

5) A complete description of the subjects and issues involved: This rulemaking clarifies the pool calculations for pari-mutuel wagering when there is a failure of the starting gate. It allows for a uniform and equal money distribution (refund) if a horse is prevented from starting due to mechanical failure of the gate.

6) Will these proposed amendments replace emergency amendments currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporation by reference? No.

9) Are there any other proposed amendments pending in this Part? No.

10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing to:

Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

The Illinois Racing Board will consider all written comments it receives within 30 days of the publication of this notice in the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 5-21-91

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- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance:
N/A
- D) Types of professional skills necessary for compliance: None.

The full text of the proposed amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 405
PARI-MUTUELS

Section	State Director of Mutuels
405.10	Duties of the State Director of Mutuels
405.20	Mutuel Department Operations
405.30	Mutuel Employees
405.40	Totalizator (Repealed)
405.50	No Wagers After Start
405.55	Odds Board Control (Repealed)
405.60	Odds Board Update (Repealed)
405.70	Records of All Calculations
405.80	Number of Pari-Mutuel Races
405.90	Ticket Windows
405.100	Sale of Pari-Mutuel Tickets
405.110	Minimum Ticket Prices
405.120	Minimum Pay-Off-Minus Pools-Surcharges
405.130	Payments
405.140	Report Scratches
405.150	Number of Pools
405.160	Multiple of Wagering Pools (Repealed)
405.170	Failure of Starting Gate
405.180	Horses Scratched
405.190	"Official" Sign Final
405.200	Minors Barred
405.210	Lost Tickets
405.220	Mutilated or Altered Tickets
405.230	Information Window
405.240	System Failure
405.250	

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch. 8, par. 37-9(b)).

SOURCE: Adopted at 4 Ill. Reg. 38, effective September 8, 1980; codified at 5 Ill. Reg. 10886; emergency amendment at 8 Ill. Reg. 22142, effective October 31, 1984, for a maximum of 150 days, amended at 11 Ill. Reg. 12375, effective July 18, 1987; amended at 12 Ill. Reg. 206, effective December 23, 1987; amended at 14 Ill. Reg. 11310, effective July 3, 1990; amended at 14 Ill. Reg. 17646, effective October 16, 1990, amended at 15 Ill. Reg. 591, effective January 3, 1991; amended at 15 Ill. Reg. 2733, effective February 5, 1991; amended at 15 Ill. Reg. _____, effective _____.

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Section 405.180 Failure of Starting Gate

In a thoroughbred or quarter horse race, if the doors in front of any stall in a mechanically or electrically operated starting gate should fail to open, simultaneously with the other stall doors, thereby preventing a horse from obtaining a fair start when the starter dispatches the field, the following shall apply:

If any horse is so prevented from starting, the entire amount in the win/place/show all pools wagered on that horse shall be promptly refunded. ~~UNITED STATES FINISHED FIRST/SECOND/THIRD/IN WHICH LADS/NOTES/SHALL/BE CONSIDERED/A STARTER/NOT/ALL/POOLS/IN WHICH THE HORSE STARTED/AND/A NON-STARTER/IN/ALL/OTHER/POOLS/~~

However, there shall be no refund if the horse is part of an entry or field.

(Source: Amended at 15 Ill. Reg. ____, effective ____)

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- 1) Heading of the Part: Admission, Suspension, Expulsion and Discharge Procedures
- 2) Code Citation: 89 Ill. Adm. Code: 755
- 3) Section Numbers:

755.10	<u>Proposed Action:</u>
755.20	Amendment
755.22	Repealed, Added
755.25	New Section
755.30	New Section
755.40	Amendment
755.40	Repealed, Added
755.50	Repealed, Added
755.60	Repealed, Added
755.70	Repealed, Added
755.80	Repealed, Added
755.90	Repealed, Added
755.100	Repealed, Added
755.110	Repealed
755.120	Repealed
755.130	Repealed
755.140	Repealed
755.150	Repealed
755.160	Repealed
755.170	Repealed
755.180	Repealed
755.190	Repealed
755.200	Repealed

- 4) Statutory Authority: Implementing Section 3, 10, 11 and 13 and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434 and 3441).

- 5) A Complete Description of the Subjects and Issues involved: Part 755 has been revised to:

- 1) concur with PA 86-1310 which allows for direct referral to the Illinois School for the Deaf;
- 2) allows DORS to cooperate with the Illinois State Board of Education and the Department of Children and Family Services in the provision of placement, supervision and foster care of children who attend DORS schools; and
- 3) rearrange the Part to flow logically.

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- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Leigh Reed
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Amendment(s) begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER f: EDUCATIONAL FACILITIES

PART 755

ADMISSION, SUSPENSION, EXPULSION AND DISCHARGE PROCEDURES

Section	
755.10	Eligibility for Specialized Services
755.20	Admission of Students with Severe Physical and Health Impairments (Repealed)
755.20	Application for Admission
755.22	Wards of the Department of Children and Family Services
755.25	Components of an Application
755.30	Admission of Students with Severe Hearing Impairments
755.40	Admission of Blind, Visually Impaired or Deaf-Blind Students
755.50	Notification of Inquiry (Repealed)
755.50	Admission of Students with Severe Physical and Health Impairments
755.60	Copy of (IL488-0726) to be Sent (Repealed)
755.60	Admissions Review Committee
755.70	Pre-Application Visit (Repealed)
755.70	Meetings of the Admissions Review Committee
755.80	Application for Admission (Repealed)
755.80	Representatives to be Present
755.90	Admission Forms (Repealed)
755.90	Outcome of Application for Admission
755.100	Preference of Applications from Local School District (Repealed)
755.100	Development of the IEP
755.110	Wards of the Department of Children and Family Services (Repealed)
755.120	Components of an Application (Repealed)
755.130	Submission of Applications (Repealed)
755.140	Admissions Review Committee (Repealed)
755.150	Meetings of the Admissions Review Committee (Repealed)
755.160	Representatives to be Present (Repealed)
755.170	Outcome of Application for Admission (Repealed)
755.180	Multidisciplinary Staffing (Repealed)
755.190	Parent Participation in IEP (Repealed)
755.200	IEP (Repealed)

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755.210 Diagnostic Period (Repealed)
 755.220 Outcome of the Evaluation (Repealed)
 755.230 Discharge
 755.240 Case Study Evaluation to Determine Whether a Student is Inappropriately Placed in Inappropriate Services
 755.250 Suspensions, Changes in Placements, and Discharges of Students who are Dangerous to Themselves or Others

AUTHORITY: Implementing Sections 3, 10, 11 and 13 and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434 and 3441).

SOURCE: Adopted at 6 Ill. Reg. 1235, effective January 18, 1982; codified at 6 Ill. Reg. 14370; amended at 12 Ill. Reg. 13971, effective August 19, 1988; amended at 15 Ill. Reg. _____, effective _____.

Section 755.10 Eligibility for Specialized Services

Individuals may be eligible for specialized services offered by the State Schools at ages younger than those specified for enrollment in each respective State School, when it is determined such services are appropriate to the needs of younger children. These specialized services may include, but are not limited to:

- a) Preschool institutes and educational programs.
- b) Training programs for parents and/or preschoolers.
- c) Assessment and evaluation programs.

(Source: Amended at 15 Ill. Reg. _____, effective _____)

Section 755.20 Admission of Students with Severe Physical and Health Impairments (Repealed)

The superintendent of the Illinois Childrens School and Rehabilitation Center (ICSRC) shall admit qualified, in accordance with 89 Ill. Adm. Code 1207, students with severe physical and health impairments, including those with secondary disabilities, in accordance with 89 Ill. Adm. Code 765.10(d);

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between the ages of five and twenty-one who reside in Illinois, if space is available; provided:

-----a)-----The student has been diagnosed by a qualified physician as severely disabled by cerebral palsy, muscular dystrophy, spina bifida, or as having other severe physical and health disabilities, e.g., polio or use of kidney dialysis or a ventilator, and

-----b)-----it has been determined through an application and evaluation process that the ICSRC can provide an appropriate program, and there is a:

-----1)-----Letter from the responsible education official of the school district of parental/student residence formally referring the student for educational placement at ICSRC, and a current Multidisciplinary Conference Report, in accordance with 89 Ill. Adm. Code 825.10, and an individualized Educational Program developed by the district of parental/student residence which makes recommendations for placement at a separate facility.

-----2)-----Recommendation at a multidisciplinary conference that the student be admitted because his or her exceptional characteristics have been determined to be so profound, complex, or otherwise unique that no special education program currently offered by the local school district of parental/student residence can adequately or appropriately meet his or her total educational needs, or

-----3)-----Determination through an appeal procedure that admission to the ICSRC is the best plan for the student.

Section 755.20 Application for Admission

- a) Application for admission can be made at any time.
- b) A pre-application visit to the State School by the parents or legal guardian(s) (hereinafter "parent") and student is encouraged.

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c) The State School facility administrator shall furnish the local school district of student/parental residence (hereinafter "district") and the parents with admission forms required by the Department of Rehabilitation Services (DORS).

d) DORS recommends that the district coordinate the collection, completion, and submission of all application information, including that required of the parents. In some instances (e.g., a request from the district), a staff person from a DORS State School may assist in obtaining the required information. All applications for admission to a State School shall be signed by the child's parents.

e) When an inquiry regarding the admission of a student is received from sources other than a local school district, a "Notification of Inquiry" (IL 488-0726) (Notification) shall be sent within 10 working days to the district. A copy of the Notification shall be sent to the person(s) originating the inquiry and the parent.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 755.22 Wards of the Department of Children and Family Services

If a student is a ward of the Department of Children and Family Services (DCFS), the Director of DCFS shall designate a staff member to act on behalf of the student with the appropriate local school district when applying for admission to the State Schools and for all other programs. DORS shall cooperate with the Illinois State Board of Education and DCFS in the provision of placement, supervision and foster care of children with handicaps who must leave their home community in order to attend schools offering programs in special education.

(Source: Added at 15 Ill. Reg. _____, effective _____)

Section 755.25 Components of an Application

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a) Application to a State School can be made in one of the following ways:

- 1) by the district; or
- 2) in the case of the Illinois School for the Deaf (ISD), if a parent disagrees with the placement option of the district after the Multidisciplinary Conference (MDC) and Individualized Education Program (IEP) are completed, the parent may apply directly to ISD; however, placement of school district referrals shall be given priority over placement of these applicants. ISD shall notify the district within 15 days of receipt of an application from a parent. If resources (classroom and dormitory availability, staff to student ratio and commodities) are sufficient, applications by parents shall be considered at quarterly admission meetings (89 Ill. Adm. Code 755.70).

b) The following shall be submitted to the facility administrator of the State School at the time of application:

- 1) Application. (IL 488-2126)
- 2) A copy of the student's most recent MDC and IEP Report developed by the district or a copy of the Hearing Officer's decision from an appeal pursuant to 89 Ill. Adm. Code 800.
- 3) A letter from the education official of the district formally referring the student for educational placement. If the provisions in (a)(2) above apply, a letter will not be required.
- 4) The student's medical history, including a detailed immunization record, and family history of hearing loss, visual impairment, congenital/physical and health problems, any motor, speech, or self-care limitations the student may possess.

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5) Appropriate medical examinations:

- A) Either a current general physical examination or a Certificate of Child Health Examination (Department of Public Health form 001.2) completed within one year of application.
- B) Applicants to ISD must submit an otological or an audiological examination report.
- C) Applicants to ICSRC must submit a medical examination report from the Division of Services for Crippled Children if available.
- D) Applicants to ISVI must submit an ophthalmological or optometric examination report.

6) The student's most recent case study evaluation including all components required by 23 Ill. Adm. Code 226.535. If the evaluation is more than three years old, the State School will either request the district to conduct and submit a current case study evaluation or make arrangements for a case study evaluation to be conducted at the State School prior to the student being considered for admission.

7) Other educational, medical, and social reports and documents as may be necessary for the application process (e.g., guardianship papers and birth certificate).

(Source: Added at 15 Ill. Reg. _____, effective _____)

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Section 755.30 Admission of Students with Severe Hearing Impairments

The superintendent of the facility administrator of the Illinois School for the Deaf (ISD) shall admit students qualified in accordance with 89 Ill. Adm. Code 765.10(d) who have been diagnosed by a qualified otologist licensed pursuant to the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-1 et seq.), or audiologist licensed pursuant to the Illinois Speech-Language, Pathology and Audiology Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 7901 et seq.) as having a severe hearing impairment, including those with secondary disabilities, in accordance with 89 Ill. Adm. Code 765.10(d), between the ages of four three and twenty-one who reside in Illinois, if space is available, provided: and it has been determined, through an application and evaluation process, that ISD can provide an appropriate program.

a) The student has been diagnosed by an otologist as having a severe hearing impairment; and

b) it has been determined through an application and evaluation process that the ISB can provide an appropriate program; and there is a:

1) letter from the responsible education official of the school district of parental/student residence formally referring the student for educational placement at ISB; and a current Multidisciplinary Conference Report, in accordance with 89 Ill. Adm. Code 825.10; and an individualized Educational Program developed by the district of parental/student residence which makes recommendations for placement at a separate facility.

2) Recommendation at a multidisciplinary conference that the student be admitted because his or her exceptional characteristics have been determined to be so profound; complex; or otherwise unique that no special education program currently offered by the school district of parental/student residence can

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adequately or appropriately meet his or her total educational needs, or

-----3)---Determination through an appeal procedure that admission to the ISB is the best plan for the student;

(Source: Amended at 15 Ill. Reg. ____, effective ____)

Section 755.40 Admission of Blind, Visually Impaired or Deaf-Blind Students

The superintendent facility administrator of the Illinois School for the Visually Impaired (ISVI) shall may admit qualified-blind,--in--accordance-with--89--Ill--Adm--Code 120 blind, visually impaired or deaf-blind students, diagnosed by an ophthalmologist licensed pursuant to the Medical Practice Act of 1989 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-1 et seq.), or optometrist licensed pursuant to the Illinois Optometric Practice Act (Ill. Rev. Stat. 1989, ch. 111, par. 3801 et seq.), as having a visual impairment, including those with secondary disabilities, in accordance with 89 Ill. Adm. Code 765.10(d), between the ages of five and twenty-one who reside in Illinois, if space is available, provided: and it has been determined through an application and evaluation process that ISVI can provide an appropriate program.

-----a)---The student has been diagnosed by a qualified ophthalmologist or optometrist as having a severe visual impairment; and

-----b)---it has been determined through an application and evaluation process that the ISVI can provide an appropriate program and there is a:

-----1)---Letter from the responsible education official of the school district of parentai/student residence formally referring the student for educational placement at ISVI; and a current Multidisciplinary Conference Report, in accordance with 89 Ill. Adm. Code 825.10; and an individualized Educational Program developed by the district of parentai/student residence which makes recommendations for placement at a separate facility.

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-----2)---Recommendation at a multidisciplinary conference that the student be admitted because his or her exceptional characteristics have been determined to be so profound, complex, or otherwise unique that no special education program currently offered by the school district of parentai/student residence can adequately or appropriately meet his or her total educational needs; or

-----3)---Determination through an appeal procedure that admission to the ISVI is the best plan for the student;

(Source: Amended at 15 Ill. Reg. ____, effective ____)

Section 755.50 Notification of Inquiry (Repealed)

When an inquiry regarding the admission of a specific student is received from sources other than a local school district, a "Notification of Inquiry" (IB 488-0726) shall be sent within 10 days to the school district of parentai/student residence.

Section 755.50 Admission of Students with Severe Physical and Health Impairments

The facility administrator of the Illinois Childrens School and Rehabilitation Center (ICSRC) may admit students with severe physical and health impairments. These students shall be diagnosed by a physician licensed pursuant to the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-1 et. seq.), as severely disabled by cerebral palsy, muscular dystrophy, spina bifida, or as having other severe physical and health disabilities, e.g., traumatic brain injury or a progressive neurological disorder, including those with secondary disabilities, in accordance with 89 Ill. Adm. Code 765.10(d), between the ages of five and twenty-one who reside in Illinois, if space is available, and it has been determined through an application and evaluation process that ICSRC can provide an appropriate program.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. ____, effective ____)

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Section 755.60 Copy of (IL 488-0726) to be sent (Repealed)

A copy of the (IL 488-0726) will be sent to the person(s) originating the inquiry, and the parent/guardian:

Section 755.60 Admissions Review Committee

Each State School shall have its own Admissions Review Committee composed of representatives from DORS, the facility administrator/designee, a representative from the Illinois State Board of Education, social services staff, appropriate diagnostic/medical specialists, educational staff, and dormitory/housing supervisors of the State School. Additional technical assistance may be secured at the discretion of the facility administrator.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 755.70 Pre-Application Visit (Repealed)

A pre-application visit to the State School by the parents or legal guardian(s) and student is encouraged.

Section 755.70 Meetings of the Admissions Review Committee

The Admissions Review Committee shall meet at least quarterly to review applications. The Committee shall inform the facility administrator as to the appropriateness and feasibility of the student's enrollment in a program at the State School. The Committee may not consider an application unless the MDC Report, the IEP and letter formally making recommendations for acceptance of the application from the district is received from the applicant 10 working days prior to the meeting. If the provisions in Section 755.25(a)(2) apply, the letter is not required.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

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Section 755.80 Application for Admission (Repealed)

Application for admission can be made at any time.

Section 755.80 Representatives to be Present

The parents, student and a representative from the district may be present at the Admissions Review Committee meeting. Parents and the district shall be given at least 15 working days notice of the date, time and place of the Admissions Review Committee meeting.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

Section 755.90 Admission Forms (Repealed)

The State School facility administrator shall furnish the local school district, the parents, or legal guardians with admission forms required by DORS.

Section 755.90 Outcome of Application for Admission

The facility administrator shall send written notification within fifteen (15) working days following the review of the application by the Admissions Review Committee, to the parents and the district of the outcome of the application for admission. For students accepted, the letter shall contain such information as the date of planned admission and any special considerations or expectations. Students accepted will be enrolled as soon as possible, but no later than the beginning of the next semester, provided space is available. For students denied admission, the facility administrator shall furnish to the applicant's parent(s), the district, and the Illinois State Board of Education representative to the Admissions Review Committee, a written statement detailing the reasons for the denial, including the types of related aids and services the Committee believes the child needs and the reasons the State School cannot provide those aids and services. The statement shall also notify the parent(s) of their right to appeal this decision pursuant to Impartial Due Process Hearing proceedings (89 Ill. Adm. Code 800).

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____)

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_____, effective _____)

Section 755.100 Preference of Applications from Local School District (Repealed)

BORS recommends that the school district of parental/student residence coordinate the collection, completion, and submission of all information, including that required of the parents. In some instances, (e-g., a request from the school district), a staff person from BORS may assist in obtaining the required information. All applications for admission to a State School must be signed by the parents or legal guardian of the prospective student.

Section 755.100 Development of the IEP

- a) There shall be an IEP meeting either prior to admission or following admission of the student for the purpose of reviewing and/or revising the IEP. The staffing will be held at the State School. The parent(s) and appropriate diagnostic, educational staff and district staff should attend. If possible and feasible, the student should be present for initial orientation and preliminary diagnostic activities conducted by the State School staff.
- b) If neither the representative of the district nor the parent can attend, the State School shall make every effort to obtain their participation and concurrence with the IEP.
- c) The State School IEP shall include, but not be limited to, the items listed in Additional Meetings (89 Ill. Adm. Code 795.80(d)).
- d) The completed IEP shall be signed by the appropriate State School official, the parent and the district. If the provisions of Section 755.25(a)(2) apply, the district shall be requested to sign the IEP, but its signature is not required.

(Source: Section repealed, new Section adopted at 15 Ill. Reg. _____, effective _____)

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Section 755.110 Wards of the Department of Children and Family Services (Repealed)

In instances where a student is a ward of the Department of Children and Family Services (BORS), BORS will designate its staff to act on behalf of the student with the appropriate local school district when applying for admission to the State Schools.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.120 Components of an Application (Repealed)

The following shall be submitted to the facility administrator of the State School at the time of application:

-----a)-----Application:

-----b)-----A copy of the student's Individualized Education Program (IEP); and Multidisciplinary Conference report developed by the district of parental/student residence.

-----c)-----A letter from the education official of the school district of parental/student residence formally referring the student for educational placement.

-----d)-----The student's medical history record, including such information as a detailed immunization record and family history of hearing loss, visual impairment, congenital/physical and health problems, or any other motor, speech, or self-care limitations the student may possess.

-----e)-----Appropriate medical examinations, a current general physical examination (if the Certificate of Child Health Examination was completed within one year of application, it can substitute for the required current medical examination); otological examination report; audiological examination report; medical examination report from the Division of Services for Crippled Children, if available; and/or ophthalmological or optometric examination report.

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-----f)---Academic performance records, including the student's educational background, schools and dates attended, transcripts for secondary students, special abilities or interests, attitude toward school, educational deficiencies, and standardized achievement tests results.

-----g)---A social/developmental study based upon a guide which shall be provided by the appropriate State School. Reports should address family background, parental involvement with school and student, history of birth and development, physical description, current functioning, peer interaction, recreational interests, and self-concept.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.130 Submission of Applications (Repealed)

Applications for admission, with accompanying required information, shall be submitted directly to the facility administrator of the appropriate State School.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.140 Admissions Review Committee (Repealed)

Each State School shall have its own Admissions Review Committee composed of representatives from the Illinois Department of Rehabilitation Services, the superintendent/designee, a representative from the Illinois State Board of Education, social services staff, appropriate diagnostic/medical specialists, educational staff, and dormitory/housing supervisors of the State School. Additional technical assistance may be secured at the discretion of the superintendent.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

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Section 755.150 Meetings of the Admissions Review Committee (Repealed)

The Admissions Review Committee shall meet at least quarterly to review applications and accompanying information received 10 days prior to the meeting. The Committee shall inform the facility administrators to the appropriateness and feasibility of the student's enrollment in a program at the State School. The Admissions Review Committee may not consider an application unless the Multidisciplinary Conference Report, the individualized Educational Program and letter formally making recommendations for acceptance of the application from the district of parental/student residence is received by the members of the Admissions Review Committee ten days prior to the meeting.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.160 Representatives to be Present (Repealed)

The parent, student and/or a representative from the school district of parental/student residence may be present at the Admissions Review Committee meeting upon their request. Parents and the local school district shall be notified at least 15 days before as to the date, time and place of the Admissions Review Committee meeting.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.170 Outcome of Application for Admission (Repealed)

The facility administrator shall send written notification within fifteen (15) working days following the review of the application by the Admissions Review Committee to the parents and the school district of parental/student residence as to the outcome of the application for admission. For students accepted, the letter shall contain such relevant information, as the date of planned admission, and any special considerations or expectations. Students accepted will be enrolled as soon as possible, but no later than the beginning of the next semester, if space is available. For students denied admission, the facility administrator shall furnish to the applicant's parent(s)

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-----b)---The completed IEP shall be signed by the appropriate State School official, the parent and the school district of parental/student residence.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

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or guardian(s); the applicant's school district of residence; and the Illinois State Board of Education representative to the Admissions Review Committee; a written statement detailing the reasons for the denial, including the types of related aids and services the Committee believes the child needs; and the reasons the State School cannot provide those aids and services. The statement will also notify the parent(s) or guardian(s) of their right to appeal this decision pursuant to impartial Due Process Hearing (89 Ill. Adm. Code 800).

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.180 Multidisciplinary Staffing (Repealed)

There shall be a multidisciplinary staffing prior to admission of the student for the purpose of reviewing and/or revising the individualized Education Program (IEP). The staffing should be held at the State School. The parent(s) should be in attendance to develop the IEP in addition to appropriate diagnostic, educational staff and school district of parental/student residence staff. If possible and feasible, the student should be present for initial orientation and preliminary diagnostic activities conducted by the State School staff.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.190 Parent Participation in IEP

If--neither--the--representative--of--the--school--district--of parental/student--residence--nor--the--parent--can--attend--the--State School--shall--make--every--effort--to--obtain--their--participation--and concurrence--with--the--IEP.

(Source: Repealed at 15 Ill. Reg. _____, effective _____)

Section 755.200 IEP (Repealed)

-----a)---The State School IEP shall include, but not be limited to, the items listed in Additional Meetings (89 Ill. Adm. code 795-80(d)).

- 1) Heading of the Part: Individualized Written Rehabilitation Program
- 2) Code Citation: 89 Ill. Adm. Code: 572
- 3) Section Numbers: 572.90 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a), (b), and (k)).
- 5) A Complete Description of the Subjects and Issues Involved: Section 572.90 has been revised to correct a clerical error.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? Yes X No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): Not Applicable
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Leigh Reed
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

- If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.
- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.
- The full text of the Proposed Amendment(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 572
INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM

- Section
572.10
572.20
572.40

572.50

572.60
572.70
572.80
572.90
572.100
572.200
- General Applicability
Commencement of the IWRP
Coordination of the IWRP with an Individualized Education Program (IEP)
General Information on IWRP Development and Implementation
Contents of the IWRP
Services to Families
IWRP Amendments
Notice of Changes to the IWRP
Case File Documentation
Reporting of Client Participation

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a),(b), and (k))

SOURCE: Adopted at 9 Ill. Reg. 8801, effective June 10, 1985; amended at 11 Ill. Reg. 5144, effective March 17, 1987; amended at 14 Ill. Reg. 18561, effective November 5, 1990.; amended at 15 Ill. Reg. _____, effective _____.

Section 572.90 Notice of Changes to the IWRP

Adequate, timely notification of any DORS - initiated change to the IWRP must be provided to the client. Such notification must be made in writing at least 15 work days prior to the effective date of change unless the client has signed the IWRP indicating agreement with the change. The notification must state the items contained in 89 Ill. Adm. Code 510.60(ed).

(Source: Amended at 15 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER
DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

- 1)

2)

3)
- HEADING OF THE PART: Commercial Fishing and Musseling in Certain Waters of the State

CODE CITATION: 17 Ill. Adm. Code 830

SECTION NUMBERS:

ADOPTED ACTION:

- 830.05
830.20
830.60
830.70
830.80
830.90
- New Section
Amendments
Amendments
Amendments
Amendments
Amendments

- 4)
- STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1989, ch. 56, pars. 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7 and 6.1)

- 5)
- EFFECTIVE DATE OF AMENDMENTS: May 24, 1991

- 6)
- DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

- 7)
- DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

- 8)
- DATE FILED IN AGENCY'S PRINCIPAL OFFICE: May 21, 1991

- 9)
- NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: February 15, 1991, 15 Ill. Reg. 2057

- 10)
- HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No

- 11)
- DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In Section 830.05(b), "one" was changed to "a mussel size as set out in Section 830.70".

In Section 830.20(a)(5), "excluding" was changed to "including".

Section 830.70(c), was changed to read "All washboards shall measure for the 1991 season shall measure not less than 3-503.75 inches. Beginning January 1, 1992, all washboard mussels shall measure not less than 4.0 inches. All relic (dead) washboards shall measure not less than 3.5 inches."

- 12)
- HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN

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MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JC&R? Yes

WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

ARE THERE ANY AMENDMENTS PENDING ON THIS PART? NO

SUMMARY AND PURPOSE OF AMENDMENTS: This Part was amended to give greater protection to the mussel resources of Illinois. The amendments include increasing the legal size of washboard mussels, changing harvest dates, defining relic mussels and method of measurement, clarifying language pertaining to mussel sanctuaries, establishing a sanctuary in the Lower Wabash River, and removing certain species from harvest in the Mississippi and Illinois Rivers.

INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF CONSERVATION

SUBCHAPTER b: FISH AND WILDLIFE

PART 830

COMMERCIAL FISHING AND MUSSELING IN CERTAIN WATERS OF THE STATE

Section

- 830.05 Definitions
- 830.10 Waters Open to Commercial Harvest of Fish
- 830.20 Waters Open to Commercial Harvest of Mussels and seasons
- 830.30 Special Regulations
- 830.40 Devices
- 830.50 Permittion
- 830.60 Species
- 830.70 Size Limit
- 830.80 Commercial Fishing and Musseling in Additional Waters
- 830.90 Revocation and Suspension of Commercial Fishing and Musseling Privileges, Hearings and Appeals

AUTHORITY: Implementing and authorized by Sections 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1989, ch. 56, pars. 1.3j, 1.3k, 1.4, 3.25, 4.8, 4.9, 5.7 and 6.1)

SOURCE: Adopted at 5 Ill. Reg. 6809, effective June 16, 1981; codified at 5 Ill. Reg. 10648; emergency amendment at 6 Ill. Reg. 6468, effective May 18, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 10680, effective August 20, 1982; amended at 7 Ill. Reg. 2707, effective March 2, 1983; amended at 10 Ill. Reg. 6926, effective April 15, 1986; amended at 11 Ill. Reg. 9513, effective May 5, 1987; amended at 12 Ill. Reg. 11714, effective June 30, 1988; amended at 15 Ill. Reg. 8544, effective May 24, 1991.

Section 830.05 Definitions

- a) A relic (dead) mussel shell is defined as one which apparently died of natural causes within the water and contains no meat or soft parts; it readily exhibits noticeable sediment, vegetation, algal or mineral stains, discolorations, soiling, weathering or other visual evidence on its interior surface which clearly and unambiguously shows the mussel shell has not been cooked-out or freshly cleaned.
- b) A legal size mussel for a particular species is defined as a mussel size as set out in Section 830.70 which will not pass through a minimum harvest size circle cutout in a metal plate.

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(Source: Added at 15 Ill. Reg. 8544, effective May 24, 1991)

Section 830.20 Waters Open to Commercial Harvest of Mussels and Seasons

- a) Mississippi River and backwaters, May 1, to September 15 April 15 to August 31 inclusive, except for the following areas:

1) All of the area directly above Lock and Dam 12 (RM 556.7) from the center of the navigation channel east to the Illinois shoreline and northward to a line extending from RM 558.4 to the Blanding's Landing boat ramp, including but not limited to all of the area contained within the designated U.S. Military Reservation area.

2) All of the waters contained within Sylvan Slough from the Interstate 74 highway bridge (RM 485.8) west to the lower tip of Arsenal Island (RM 482.6).

3) All of the area north of and perpendicular to the center line of the navigation channel to the Illinois shoreline lying between RM 433.0 (New Boston Boat Launching Ramp) to RM 433.8 (lower tip of the first upstream island along the Illinois shoreline).

4) Pontoon Bay contained within and described as that area from the center of the main navigation channel and perpendicular to the Illinois shoreline located between RM 388.7 and RM 390.0 RM 388.0 (Pontoonuc light and daymark) and RM 390.2 (Dallas City boat access area).

5) All of the area eastward of the center of the navigation channel and perpendicular to the Illinois shoreline from the mouth of the Des Moines River (RM 361.4) to the U.S. Route 136 Bridge (RM 364.0) on a line from the Des Moines River daymark (Iowa side) and the Des Moines River lighted buoy (Illinois side), both of which are at RM 361.7, to Lock and Dam 19 (RM 364.5) including any slough channels of the Mud Island area along the Illinois side.

6) All of the area east of the center of navigation channel and perpendicular to the Illinois shoreline

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between RM 314.0 (Whitney light and daymark) and RM 316.0 located ~~upstream of Hannibal, Missouri~~ (Hadley Island Goale light and daymark).

7) All of the area east of the center of navigation channel and perpendicular to the Illinois shoreline between River Mile 238.4 (Hasting's Landing light and daymark) and River Mile 240.8 (West Point Landing boat ramp).

b) Illinois River and backwaters, May 1 to September 15 April 15 to August 31 inclusive.

c) Wabash River, June 1 to August 31 inclusive, except that portion of the Wabash River from the old dam at New Harmony, Indiana downstream to the river's confluence with the Ohio River.

(Source: Amended at 15 Ill. Reg. 8544, effective May 24, 1991)

Section 830.60 Species

a) The following species of fish may be taken by licensed commercial fishermen:

- 1) Carp
- 2) Buffalo
- 3) Freshwater drum
- 4) Catfishes (includes bullheads)
- 5) Paddlefish
- 6) Carpsuckers
- 7) Suckers
- 8) Redhorses
- 9) Goldeye and Mooneye
- 10) Gar (except alligator gar)
- 11) Bowfin
- 12) American eel

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- 13) Shovelnose sturgeon
- 14) Gizzard shad
- 15) White amur (grass carp)
- 16) Minnows
- 17) Goldfish
- 18) Bighead Carp and Silver Carp
- b) The following species of mussels may be taken by licensed commercial musselers:
- 1) Washboard (*Megaloniais giganteanervosa*)
- 2) ~~Three-ridge~~Threeridge (*Amblema plicata*)
- 3) Buckhorn or Pistol Grip (*Tritogonia verrucosa*); may not be taken from the Mississippi and Illinois Rivers
- 4) Mapleleaf (*Quadrula quadrula*)
- 5) ~~Pimple-back~~Pimpleback (*Quadrula pustulosa*pustulosa)
- 6) ~~Monkey-face~~Monkeyface (*Quadrula metanevra*)
- 7) ~~Warty-back~~Wartyback (*Quadrula nodulata*)
- 8) ~~Pig-toe~~Pigtoe (*Fusconaia flava* forma undata)
- 9) ~~Ebony Shell~~ (~~*Fusconaia ebena*~~)
- 10) ~~2)~~ Butterfly (*Platystrophia lineolata*)
- 11) ~~10)~~ Mucket (*Actinonaias ligamentina*); may not be taken from the Mississippi and Illinois Rivers
- 12) ~~11)~~ Ohio River Pigtoe (*Pleurobema cordatum*)
- 13) ~~12)~~ Hickory Nut (*Obovaria olivaria*)
- 14) ~~13)~~ Fat Mucket (*Lampsilis radiata*)
- 15) ~~14)~~ Pink Heelsplitter (~~*Preptera alata*~~*Potamilus*)

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alatus)

- 15) White Heelsplitter (*Lasmigona complanata*)
- 16) Wabash River Pig-toe (*Fusconaia flava* forma flava)
- 17) Pocketbook (~~*Lamprolaima*~~*Lampsilis* ovata)
- 18) Black Sandshell (*Ligumia recta*)

(Source: Amended at 15 Ill. Reg. 8544, effective May 24, 1991)

Section 830.70 Size Limit

- a) No channel catfish, blue catfish, flathead catfish or white catfish under 15 inches in length (undressed) may be taken.
- b) There is no size limit on other species listed in Section 830.60(a).
- c) All mussels shall be measured on the shortest line from the center of the hinge side and at a right angle across the shell to the outer edge.
- d) All ~~Washboard~~Washboard mussels for the 1991 season shall measure not less than 3.5 inches. Beginning January 1, 1992, all Washboard mussels shall measure not less than 4.0 inches. All relic (dead) Washboards shall measure not less than 3.5 inches.
- e) All ~~three-ridge~~Threeridge mussels shall measure not less than 2.75 inches.
- f) All other mussels listed in 830.60(b), shall measure not less than 2.5 inches.
- (Source: Amended at 15 Ill. Reg. 8544, effective May 24, 1991)
- Section 830.80 Commercial Fishing and Musseling in Additional Waters

- a) Additional waters may be open to commercial fishing or musseling by a contract for removal. Any licensed

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commercial fisherman or musseler who wishes to fish in any water not listed under Section 830.10 or 830.20 must request permission from the Division of Fisheries. The Division will determine whether the fish or mussel resource can support such activity and whether the activity is in the best interests of the general public. If so, the Department shall issue a contract for removal specifying the type of gear, season, species of fish or mussel that shall be removed, and any other regulations as shall be necessary to protect the resource.

- b) The standards for determining whether or not an additional fishery will be open to commercial fishing or musseling shall include: a biological sampling of the commercial fish or mussel population to determine the relative abundance of the species present; an assessment of the impact of commercial fishing or musseling gear on sport fish or mussel populations; a determination of the impact of commercial fishing or musseling activities on other water-based recreation; a determination of whether the fish are safe for public consumption (U.S. Food and Drug Administration standards are followed (USFDA 21, CFR 109.30, 1986) (No incorporation in this Part includes later amendments or editions)); and a fair and equitable allocation of commercial fishing or musseling opportunities.

- c) Commercial fishing contracts will not be issued:

- 1) for non-commercial purposes; or
- 2) if an individual has been convicted of a violation of a State Fish Code law or 17 Ill. Adm. Code 830 during the past twelve months.

(Source: Amended at 15 Ill. Reg. 8544, effective May 24, 1991)

Section 830.90 Revocation and Suspension of Commercial Fishing and Musseling Privileges, Hearings and Appeals

- a) In accordance with Section 5.19 of the Fish Code (Ill. Rev. Stat. 19851989, ch. 56, par. 5.19), failure to comply with the provisions of the Fish Code of Illinois pertaining to commercial fishing and/or musseling in Illinois waters, and this part will result in suspension or revocation of the commercial fishing and/or musseling licenses. The

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procedure by which suspensions and revocations are made, the rights of commercial fishermen and musselers to notice and hearing, and the procedures governing such hearings are set forth in 17 Ill. Adm. Code 2530 (Rules governing Department Formal Hearings Conducted for Rule-Making and Contested Cases).

- b) Where waters of the State are open to commercial fishing or musseling by contract, the contract will be revoked upon failure of the contractor to comply with all terms of the contract. Furthermore, any violation of a contract issued by the Director of Conservation or his agents shall be considered a violation of this Administrative Order and subject to the penalties as set forth in Sections 5.7 and 5.19 of the Fish Code (Ill. Rev. Stat. 19851989, ch. 56, pars. 5.7 and 5.19).

(Source: Amended at 15 Ill. Reg. 8544, effective May 24, 1991)

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Determination of Unemployment Contributions

- 2) Code Citation: 56 Ill. Adm. Code 2770

- 3) Section Number:
 2770.400 Adopted Action:
 2770.405 Repealed Section
 2770.410 Repealed Section
 2770.415 Repealed Section
 2770.420 Repealed Section

- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 48, pars. 570, 571, 573, 576.1, 576.2, 576.3, 578.1, 610 and 611.

- 5) Effective Date of the Amendment: May 24, _____, 1991.

- 6) Does this rulemaking contain an automatic repeal date? No.

- 7) Does this Rule contain an incorporation by reference? No.

- 8) Date filed in Agency's Principal Office: May 24, 1991.

- 9) Notice of Proposal published in Illinois Register: March 8, 1991 at 15 Ill. Reg. 3368.

- 10) Has JCAR issued a Statement of Objection to these Rules? No.

- 11) Difference between proposal and final version: None.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?
 Yes.

- 13) Will this replace an emergency rule currently in effect? No.

- 14) Are there any amendments pending on this Part? No.

- 15) Summary and purpose of the rules: The proposed amendment to Part 2770 repeals Subpart E: Transfer Of Benefit Wages From Base Period To Subsequent Employer. This subpart was necessary when the Illinois experience rating system for employers was based on the charging of benefit wages. However, effective July 1, 1989, the Legislature replaced

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benefit wages with benefits. This change had the practical effect of repealing the provision of the UI Act which allowed for the transfer of benefit wages. Therefore, these rules no longer have any practical application.

- 16) Information and Questions regarding these Adopted Amendments may be addressed to:

Stella Adams Cuthbert, Commissioner
 Illinois Department of Employment Security
 401 South State Street - 2 South
 Chicago, Illinois 60605
 312/793-4240

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of Part: Uniform Disposition of Unclaimed Property Act
- 2) Code Citation: 38 Ill. Adm. Code 180
- 3) Section Number: Adopted Action:
180.90 Amendment
- 4) Statutory Authority: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act (Ill. Rev. Stat. 1989, ch. 141, pars. 101 et seq.).
- 5) Effective Date of Rules: May 24, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: May 22, 1991
- 9) Notice of Proposal Published in Illinois Register: February 1, 1991, 15 Ill. Reg. 1207
- 10) Has JCAR issued a Statement of Objections to these rules? No, certificate of no objection issued May 14, 1991.
- 11) Differences between proposal and final version:

Modified Section 180.90(c)(4) to read as follows: "The Department is notified by another governmental agency in writing or verbally with written confirmation that a holder is not in compliance with the Act."

Revised Section 180.90(c) to read as follows: Pursuant to Section 23 of the Act, the Director shall have *reason to believe* that a holder has failed to report property in accordance with the Act and may examine the records of the holder, anytime one of the following conditions exist:

In Section 180.90(c)(9), added: "In the event an examination discloses no undeclared unclaimed property, no examination fee shall be assessed to the party examined."

Added a new Section 180.90(d) which states: "Notwithstanding the enumerated conditions listed in subsections (c)(1)-(c)(10) above, the Director may conduct an examination of a holder based on facts within the knowledge of or imparted to the Director by others."

Added closing parenthesis to Section 180.90(c)(3)(C).

Added the text: ", no subsequent dates or editions, " before the closing parenthetical in Sections 180.90(c)(3)(B) and (C).

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In addition, various changes were made in response to the comments from the Administrative Code Division.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: The amendment to Section 180.90 clarifies the phrase "*reason to believe*" and sets forth standards upon which the Director of the Department of Financial Institutions may rely in determining if there has been a potential failure to report unclaimed property. Further, this amendment places all holders on notice of the standards thereby precluding unwarranted examinations.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Henry Sintzenich, Deputy Counsel
Consumer Credit Division
Department of Financial Institutions
500 Iles Park Place, Suite 510
Springfield, IL 62718-1094
217/782-3704

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 38: FINANCIAL INSTITUTIONS

CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 180

UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT

Section	Definitions
180.10	Negative Reports
180.20	Safe Deposit Boxes
180.30	Cost of Mailing
180.40	Nominee and Street Name Property
180.50	Lawful Charges
180.60	Discontinuance of Interest or Dividends
180.70	Statute of Limitations
180.80	Examination of Property Holders
180.90	Claims
180.100	Hearings on Claims
180.110	

AUTHORITY: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act (Ill. Rev. Stat. 1989, ch. 141, pars. 101 et seq.).

SOURCE: Filed November 20, 1977; emergency amendment at 3 Ill. Reg. 39, p. 225, effective September 14, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 48, p. 153, effective November 20, 1979; rules repealed, new rules adopted and codified at 8 Ill. Reg. 1464, effective January 18, 1984; amended at 15 Ill. Reg. 8555, effective May 24, 1991.

Section 180.90 Examination of Property Holders

- a) The Director shall notify the holder, in writing, ten days prior to an examination conducted pursuant to Section 23 of the Act. The Director may waive the ten-day notice prior to performing an unclaimed property examination if, as a result of past experience or an examiner consultation, the Director determines that the existence of the records may be placed in jeopardy by use of the notice provision.
- b) If unreported property is discovered, the Director shall order the holder to report and remit the property pursuant to the Act and the Rules.
- c) Pursuant to Section 23 of the Act, the Director shall have reason to believe that a holder has failed to report property in accordance with the Act and may examine the records of the holder, anytime one of the following conditions exist:
 - 1) A holder has submitted reports to the Department in two successive calendar years in which the holder's reports state it has no unclaimed property.
 - 2) A holder has not submitted a report to the Department for two successive calendar years.
 - 3) A personal interview by Departmental staff with the appropriate

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representative of the holder reveals any of the following:

- A) The holder adjusts its asset statements by writing-off property such as check or credit balances that could be deemed unclaimed property under the Act; or
 - B) The holder does not follow generally-accepted accounting principles (Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (1990), no subsequent dates or editions), or the Act with regard to unidentified remittances or the establishment of unclaimed property liability accounts; or
 - C) The holder does not follow generally-accepted accounting principles (Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (1990), no subsequent dates or editions), or the Act with regard to the disposition of unidentified credits; or
 - D) The holder does not retain records for five (5) years beyond the period of abandonment to determine the disposition of property which could be deemed abandoned under the Act; or
 - E) The holder's records preclude the Department from determining the disposition of property which could be deemed abandoned under the Act.
- 4) The Department is notified by another governmental agency in writing or verbally with written confirmation that a holder is not in compliance with the Act.
 - 5) The total unclaimed property remitted by a holder is below the average remittance for other holders in the same industry and that have assets of similar size to the holder.
 - 6) A holder does not report all types of unclaimed assets they may be holding as indicated by but not limited to:
 - A) A previous examination of the holder; or
 - B) A comparison with the asset types reported by other holders in the same industry and that have assets of similar size to the holder.
 - 7) A holder is discovered as a subsidiary or affiliate of another holder which has been or is being examined.
 - 8) A holder is discovered as a principal or holding company of another holder which has been or is being examined.
 - 9) An unclaimed property examination of the records of the holder has not been performed for 5 or more calendar years. In the event an examination discloses no undeclared unclaimed property, no examination fee shall be assessed to the party examined.
 - 10) Changes in a holder's business practices, including, but not limited to, changes in financial status, technological advances, corporate structure, change in ownership, etc.
- d) Notwithstanding the enumerated conditions listed in subsections (c)(1)-(c)(10) above, the Director may conduct an examination of a holder based on facts within the knowledge of or imparted to the Director by others.

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NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 15 Ill. Reg. 8555, effective May 24, 1991)

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Standards and Licensure Requirements for Community-Integrated Living Arrangements
- 2) Code Citation: 59 Ill. Adm. Code 115
- 3) Section Numbers: Adopted Action:
115.410 Amended
- 4) Statutory Authority: Implementing Ill. Rev. Stat. 1989, ch. 91½, par. 1701 et seq. and authorized by Ill. Rev. Stat. 1989, ch. 91½, pars. 5-104, 100-5, as amended by P.A. 86-1324, effective September 6, 1990, and Ill. Rev. Stat. 1989, ch. 91½, par. 1709.
- 5) Effective Date of Amendment: May 24, 1991
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No. This rulemaking does not include an incorporation by reference pursuant to Section 6.02(b) of the Illinois Administrative Procedure Act.
- 8) Date Filed in Agency's Principal Office: May 21, 1991
- 9) Notice(s) of Proposal Published in Illinois Register: December 21, 1990 (14 Ill. Reg. 20138)
- 10) Has JCAR issued a Statement of Objections to this amendment? No.
- 11) Difference(s) between proposal and final version: The following changes were made in response to public comment:
Section 115.410(d) - The word "unduly" before the word "punitive" in the fifth sentence was deleted.
Section 115.410(f) - Added causing all following subsections to be relabeled.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? JCAR had no questions on this rulemaking and suggested no changes.
- 13) Will this amendment replace an emergency rule? Yes. This rulemaking will replace an emergency amendment adopted at 14 Ill. Reg. 20550, effective December 5, 1990.

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENT

- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments: The amendment sets out standards to be used by the Department in considering a request for a waiver of the standards requiring a minimum distance between agency-owned and operated community-integrated living arrangements. The amendment allows the Department to grant a waiver for the duration of the community-integrated living arrangement if it meets the standards. It also allows an agency to appeal a denial of a waiver request.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Joseph R. Buckles
Rules Administrator
Address: 402 Stratton Building
Springfield, IL 62765
Telephone: (217)785-3313

The full text of the Adopted Amendment begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES
NOTICE OF ADOPTED AMENDMENT

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 115
STANDARDS AND LICENSURE REQUIREMENTS FOR
COMMUNITY-INTEGRATED LIVING ARRANGEMENTS

SUBPART A: GENERAL PROVISIONS

Section	Purpose
115.100	Incorporation by reference
115.110	Definitions
115.120	

SUBPART B: SERVICE REQUIREMENTS

Section	Description
115.200	Criteria for participation of individuals
115.210	Criteria for termination of individuals
115.215	Community support team
115.220	Interdisciplinary process
115.230	Medical services and medications
115.240	Individual rights and confidentiality
115.250	

SUBPART C: GENERAL AGENCY REQUIREMENTS

115.300	Environmental management of living arrangements
115.310	Geographic location of community-integrated living arrangements
115.320	Administrative requirements

SUBPART D: LICENSURE REQUIREMENTS

115.400	Applicability
115.410	Issuing a license and period of licensure
115.420	License application
115.430	Application acceptance and verification
115.440	Non-transferability of license
115.450	Cessation of operations
115.460	License revocation
115.470	Hearings

115.Appendix A Specific Level of Functioning Assessment and Physical Health Inventory

DEPARTMENT OF MENTAL HEALTH AND
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NOTICE OF ADOPTED AMENDMENT

AUTHORITY: Implementing the Community-Integrated Living Arrangements Licensure and Certification Act (Ill. Rev. Stat. 1989, ch. 91½, par. 1701 et seq.) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1989, ch. 91½, par. 5-104) and Section 5 of HAN AGF codifying the powers and duties of the Department of Mental Health and Developmental Disabilities Act (Ill. Rev. Stat. 1989, ch. 91½, par. 100-5, as amended by P.A. 86-1324, effective September 6, 1990).

SOURCE: Adopted at 14 Ill. Reg. 10865, effective July 1, 1990; emergency amendment at 14 Ill. Reg. 20550, effective December 5, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 8560, effective May 24, 1991.

NOTE: Bold-face type denotes statutory language.

Section 115.410 Issuing a license and period of licensure

- a) Upon receipt of a completed application and verification of the agency's compliance with this Part, the Department shall issue a license which will authorize agencies to certify that programs provided in CILAs comply with the Code, the Act and this Part. The application shall include signature and date, and verification of the agency's compliance with this Part.
- b) The Department shall conduct surveys of licensed agencies and their certified programs and services. The Department shall review the records or premises, or both, as it deems appropriate for the purpose of determining compliance with the Community-Integrated Living Arrangements Licensure and Certification Act, the Code, the Act, and this Part.
- 1) The Department shall conduct scheduled surveys to determine compliance at the time of initial licensure, license renewal, and at least annually and shall conduct unscheduled surveys to investigate allegations or complaints.
- 2) Determination of compliance with the service requirements contained in Subpart B shall be based on a survey centered on the individual which samples services being provided.
- 3) Determination of compliance with the general agency requirements contained in Subpart C shall be based on a review of agency records and observation of individuals and staff.
- c) Upon application to the Department, the Department may issue a temporary permit to an applicant for a six-month period to allow

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DEPARTMENT OF MENTAL HEALTH AND
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NOTICE OF ADOPTED AMENDMENT

the holder of such permit reasonable time to become eligible for a license.

- d) If an agency requests a waiver of any standard in this Part other than Section 115.310(c), the agency shall present to the Department a written plan to comply with the required standard including a timetable for compliance, when possible. If compliance is not possible, the agency shall submit its rationale for the waiver request. Waivers shall be granted solely at the Department's discretion. The Department shall grant a waiver to a standard contained in this Part other than Section 115.310(c) only upon receipt of a written plan from the agency requesting the waiver to comply with the standard including a timetable for compliance. In cases where compliance is impossible and failure to grant the waiver request would be unduly punitive when weighing the requirements of the standard against the agency's overall operation, the Department shall grant a waiver specifying the time frame for which the waiver is granted. Standards shall not be waived in situations that pose a threat to the health and safety of individuals.
- e) If an agency requests a waiver of Section 115.310(c), the agency shall present to the Department its rationale for the waiver request, including evidence of efforts to comply with Section 115.310(c). The request must be submitted before the agency leases, purchases or takes possession of the property to be used as a CILA. The Department shall grant the waiver for the duration of the CILA if it determines that the granting of the waiver would meet the following criteria:
 - 1) It is consistent with the goal of community integration of individuals with mental disabilities; and
 - 2) It is consistent with Sections 115.310(a), (b), (d), (e) and (f).
- f) The Department shall issue a decision on waivers requested under subsection (e) above within five working days, of receipt of the written request.
- e) g) If an agency requests an equivalency for any standard in this Part, the agency shall present to the Department a written description of the equivalency containing specific reference as to how the equivalency meets the standard. An equivalency shall be granted solely at the Department's discretion and shall not be granted in situations that pose a threat to the health and safety of individuals.

DEPARTMENT OF MENTAL HEALTH AND
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- f) h) A license shall be valid for three years unless revoked in accordance with Section 4(e) of the Community-Integrated Living Arrangements Licensure and Certification Act.
- i) If the Department denies a waiver request, the agency may request a hearing in accordance with Section 115.470. At the hearing, the Department shall have the burden of proving that there was substantial evidence to support the decision to deny the waiver.

(Source: Amended at 15 Ill. Reg. 8560, effective May 24, 1991)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF RECODIFICATION

- 1) Heading of Part: Illinois Oil and Gas Act
- 2) Code Citation: 62 Ill. Adm. Code 240
- 3) Date of Administrative Code Division Review: May 24, 1991
- 4) Headings and Section Numbers of the Part Being Recodified:

Section NumbersHeadings

SUBPART B: APPLICATION PROCEDURES AND PERMIT REQUIREMENTS

240.230	Application for Permit for Geological or Structural Test Hole
240.250	Permit Requirements in Mine Areas
240.255	Underground Injection and Disposal Projects

SUBPART C: TRANSFER OF OWNERSHIP AND BONDING

240.305	Transfer of Management
240.310	When Bond Required--Amount
240.320	Kind of Bond--Execution
240.330	Bond of Manager
240.340	Bond Form--Approval
240.350	Surety May Cancel Bond
240.360	Mining Board May Cancel Bond
240.370	Casing Puller's Bond

SUBPART G: WASTE PROHIBITED

240.710	Avoidable Waste of Gas
240.720	Escape of Unburned Gas Prohibited

SUBPART H: PROTECTION OF WORKABLE COAL BEDS

240.805	Introduction
240.810	Workable Coal Beds Defined
240.820	Mining Board may Determine Presence of Coal Seams
240.830	Well Locations Prohibited
240.840	Notice to Mining Board
240.850	Casing and Protective Work
240.860	Operational Requirements Over Active Mine

SUBPART I: GENERAL LEASE OPERATING REQUIREMENTS AND
AVOIDANCE OF SURFACE POLLUTION

DEPARTMENT OF MINES AND MINERALS

NOTICE OF RECODIFICATION

240.905	Introduction
240.910	Disposal in Underground Stratum
240.920	Disposal in Earthen Pits
240.930	Pipes to be Kept in Repair
240.940	Burn Off Pits
240.950	Lease Tank Reservoirs
240.960	Fire Hazards at Well Locations
240.970	Mining Board Supervision
240.980	Yearly Inspection--of Pits--Revocation of Permits--Orders for Corrective Action and Other Disposal
240.990	Lease and Well Identification

SUBPART L: VALIDITY OF RULES

240.1200	Severability
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SUBPART M: OIL FIELD BRINE HAULING

240.1310	Authority, Policy and Purpose
240.1320	Definitions
240.1330	Oil Field Brine Haulers Permit
240.1340	Applications for Brine Hauling Permit Shall Include the Following:
240.1350	Applications for Oil Field Brine Hauling Permits--Signatures and Authorization
240.1360	Oil Field Brine Hauling Permit Conditions
240.1370	Inspection of Vehicles
240.1380	Transfer of Permits
240.1385	Revocation of Oil Field Brine Hauling Permit
240.1390	Records and Reporting Requirements
240.1395	Bonds--Blanket Surety Bond

5) Outline of the Section Numbers and Headings of the Part as Recodified:

Section Numbers

Headings

SUBPART A: GENERAL PROVISIONS

240.10	Definitions
240.20	Prevention of Waste (Repealed)
240.30	Jurisdiction (Repealed)

DEPARTMENT OF MINES AND MINERALS

NOTICE OF RECODIFICATION

240.40	Enforcement of Act (Repealed)
240.50	Delegation of Authority (Repealed)
240.60	Right of Inspection (Repealed)
240.70	Right of Access (Repealed)
240.80	Sworn Statements (Repealed)
240.90	Additional Reports (Repealed)
240.100	When Rules Become Effective (Repealed)
240.110	Notice of Rules (Repealed)
240.120	Forms (Repealed)
240.130	Hearings--Notices
240.140	Violations Not Requiring Formal Action
240.150	Notice of Violation
240.160	Director's Decision
240.170	Cessation Order
240.180	Enforcement Hearings
240.190	Temporary Relief
240.195	Subpoenas

SUBPART B: APPLICATION PROCEDURES AND PERMIT REQUIREMENTS

240.210	General Provisions
240.220	Application for Permit to Drill, Deepen or Convert Well
240.240	Permits for Salt Water Disposal or for Gas, Air, Water, or other Liquid Input Wells
240.250	Underground Injection and Disposal Projects
240.260	Application for Approval of Enhanced Recovery Projects
240.270	Application for Approval of Enhanced Recovery Injection and Disposal Operations
240.280	Duration of Underground Injection Well Orders

SUBPART C:

SUBPART D: SPACING OF WELLS

240.410	General Spacing Rules
240.420	Secondary Recovery
240.430	Nonconforming Wells to be Plugged

SUBPART E: DRILLING AND CASING PROCEDURES

DEPARTMENT OF MINES AND MINERALS

NOTICE OF RECODIFICATION

240.510	Rotary Drilling Procedures
240.520	Cable Tool Drilling Rules
240.530	Slush and Mud Pits
SUBPART F: PRODUCTION AND INJECTION WELL OPERATING REQUIREMENTS	
240.610	Return of Completion Card
240.620	Well Log to be Filled
240.630	Contents of Well Log
240.640	Collection of Drill Cuttings
240.650	Operating Requirements for Enhanced Recovery Injection and Disposal Wells
240.655	Mechanical Integrity Testing for Class II Injection Wells
240.660	Monitoring and Reporting Requirements for Enhanced Recovery Injection and Disposal Wells
240.670	Avoidable Waste of Gas
240.680	Escape of Unburned Gas Prohibited

SUBPART G:

SUBPART H: GENERAL LEASE OPERATING REQUIREMENTS AND AVOIDANCE OF SURFACE POLLUTION

240.805	Introduction
240.810	Disposal in Underground Stratum
240.820	Disposal in Earthen Pits
240.830	Pipes to be Kept in Repair
240.840	Burn Off Pits
240.850	Lease Tank Reservoirs
240.860	Fire Hazards at Well Locations
240.870	Mining Board Supervision
240.880	Yearly Inspection--of Pits--Revocation of Permits--Orders for Corrective Action and Other Disposal
240.890	Lease and Well Identification

SUBPART I: OIL FIELD BRINE HAULING

240.910	Authority, Policy and Purpose
240.920	Definitions
240.930	Oil Field Brine Haulers Permit
240.940	Applications for Brine Hauling Permit
Shall Include the Following:	

DEPARTMENT OF MINES AND MINERALS

NOTICE OF RECODIFICATION

240.950	Applications for Oil Field Brine Hauling Permits--Signatures and Authorization
240.960	Oil Field Brine Hauling Permit Conditions
240.970	Inspection of Vehicles
240.980	Transfer of Permits
240.985	Revocation of Oil Field Brine Hauling Permit
240.990	Records and Reporting Requirements
240.995	Bonds--Blanket Surety Bond
SUBPART J: VACUUM	
240.1005	Requirements for Use of Vacuum Pumps
240.1010	Application for Use of Vacuum
240.1020	Notice and Hearing on Application
240.1030	Mining Board Authority

SUBPART K: PLUGGING OF WELLS

240.1105	Plugging of Non-Productive Wells (Repealed)
240.1110	Definitions
240.1120	Plugging of Uncased Wells
240.1130	Plugging or Temporary Abandonment of Abandoned or Inactive Wells
240.1140	General Plugging Procedures and Requirements
240.1150	Specific Plugging Procedures
240.1151	Procedures for Plugging Coal Seams
240.1160	Converting to Water Well (Repealed)
240.1170	Well Site Restoration
240.1180	Lease Restoration
240.1190	Filing Plugging Affidavit

SUBPART L: TRANSFER OF OWNERSHIP AND BONDING

240.1205	Transfer of Management
240.1210	When Bonds Required--Amount
240.1220	Kind of Bond--Execution
240.1230	Bond of Manager
240.1240	Bond Form--Approval
240.1250	Surety May Cancel Bond
240.1260	Mining Board May Cancel Bond
240.1270	Casing Puller's Bond

SUBPART M: PROTECTION OF WORKABLE COAL BEDS

DEPARTMENT OF MINES AND MINERALS

NOTICE OF RECODIFICATION

240.1300 Introduction
 240.1305 Permit Requirements in Mine Areas
 240.1310 Workable Coal Beds Defined
 240.1320 Mining Board may Determine Presence
 of Coal Seams
 240.1330 Well Locations Prohibited
 240.1340 Notice to Mining Board
 240.1350 Casing and Protective Work
 240.1360 Operational Requirements Over Active
 Mine

SUBPART N: OTHER WELLS

240.1400 Application for Permit for Geological
 or Structural Test Hole

SUBPART O: VALIDITY OF RULES

240.1500 Severability

6) Conversion Table of Present and Recodified Parts:
 Present Part Recodified Part
 (Section Numbers) (Section Numbers)

240.230 240.1400
 240.250 240.1305
 240.255 240.250

240.305 240.1205
 240.310 240.1210
 240.320 240.1220
 240.330 240.1230
 240.340 240.1240
 240.350 240.1250
 240.360 240.1260
 240.370 240.1270

240.710 240.670
 240.720 240.680

240.805 240.1300
 240.810 240.1310
 240.820 240.1320
 240.830 240.1330
 240.840 240.1340
 240.850 240.1350
 240.860 240.1360

DEPARTMENT OF MINES AND MINERALS

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240.905 240.805
 240.910 240.810
 240.920 240.820
 240.930 240.830
 240.940 240.840
 240.950 240.850
 240.960 240.860
 240.970 240.870
 240.980 240.880
 240.990 240.890

 240.1200 240.1500

 240.1310 240.910
 240.1320 240.920
 240.1330 240.930
 240.1340 240.940
 240.1350 240.950
 240.1360 240.960
 240.1370 240.970
 240.1380 240.980
 240.1385 240.985
 240.1390 240.990
 240.1395 240.995

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Illinois Nursing Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code 1300
- 3) Section Numbers: Adopted Action:
1300.30 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, par. 3501 et seq. as amended by P.A. 86-1472, effective January 1, 1991.
- 5) Effective Date of Amendments: May 28, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: May 20, 1991
- 9) Date Notice of Proposal Published in Illinois Register: February 15, 1991, at 15 Ill. Reg. 2519.

10) Has ICAR issued a Statement of Objections to these amendments? No

11) Difference(s) between proposal and final version:
No changes were required between proposal and final version.

12) Have all the changes agreed upon by the Agency and ICAR been made as indicated in the agreement letter issued by ICAR? No changes were requested by ICAR.

13) Will these Amendments replace an Emergency Amendment currently in effect?
Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments: This rulemaking implements P.A. 86-1472, effective January 1, 1991, which requires the Department to issue a temporary endorsement permit to individuals applying for a nurse endorsement license. This permit will allow the individual to begin work prior to the endorsement application being processed and a nurse license being issued. Procedures for application and conditions of the permit are set forth in these rules.

DEPARTMENT OF PROFESSIONAL REGULATION
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16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0800

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1300

THE ILLINOIS NURSING ACT OF 1987

Section	
1300.10	Definitions
1300.20	Application for Examination
1300.25	The Licensure Examination
1300.27	Application for Licensure on the Basis of Examination
1300.30	Licensure by Endorsement
1300.40	Approval of Programs
1300.41	Approval of Current Nursing Practice Update Course
1300.42	Standards of Professional Conduct for Registered Professional Nurses
1300.43	Standards of Professional Conduct for Licensed Practical Nurses
1300.44	Standards for Pharmacology/Administration of Medication Course for Practical Nurses
1300.45	Renewals
1300.48	Restoration
1300.50	Granting Variances
1300.60	Practice of Nursing
1300.70	Fines

AUTHORITY: Implementing The Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 3501 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 60(7)).

SOURCE: Adopted at 4 Ill. Reg. 4, p. 290, effective January 14, 1980; amended at 5 Ill. Reg. 801, effective January 7, 1981; codified at 5 Ill. Reg. 11044; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 10023, effective August 1, 1982; amended at 9 Ill. Reg. 6297, effective April 24, 1985; amended at 9 Ill. Reg. 13355, effective August 21, 1985; amended at 11 Ill. Reg. 18251, effective October 27, 1987; transferred from Chapter I, 68 Ill. Adm. Code 300 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1300 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2938; amended at 12 Ill. Reg. 12088, effective July 12, 1988; amended at 14 Ill. Reg. 10035, effective June 12, 1990; emergency amendment at 15 Ill. Reg. 2855, effective February 5, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 8573, effective May 28, 1991.

DEPARTMENT OF PROFESSIONAL REGULATION

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Section 1300.30 Licensure by Endorsement

a) Endorsement Application Procedure

- 1) Each applicant shall file a completed, signed application for licensure on the basis of endorsement, on forms supplied by the Department. The application shall include:
 - A) the required fee in Section 23(e) of the Act;
 - B) proof of graduation from a nursing education program which meets the requirements of Section 1300.40; and
 - C) proof of passage of an examination recognized by the Department, upon recommendation of the Committee (i.e., National Council Licensure Examination for professional nurses or practical nurses, or State Board Test Pool Examination for professional nurses or practical nurses);
 - D) a complete work history since graduation from a practical nurse education program or a professional nurse education program, whichever came first;
 - E) proof of passage of the Commission on Graduates of Foreign Nursing Schools (CGFNS) Examination is required of all persons licensed in their original jurisdictions subsequent to January 1, 1984, who completed their nursing education program in a country other than the United States or its territories.
 - F) proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 is required of those applicants who submit proof of denial of eligibility to sit for the CGFNS examination and who are licensed in a country other than the United States or its territories if determined educationally prepared in nursing;
 - G) for a practical nurse applicant who has received his practical nursing education in the military service, official transcripts of theory and clinical education prepared by an official of the military. Education must meet the standards for education as set forth in Section 1300.40.
- 2) Verification of licensure status from all states and/or foreign jurisdiction in which licensure has ever been granted.

DEPARTMENT OF PROFESSIONAL REGULATION

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- 3) Credentials of education and licensure, if not in English, shall be accompanied by a certified translation.
- 4) After filing the original application, any change of name must be supported by an affidavit satisfactory to the Department.
- 5) Deficiencies in nursing theory and/or clinical practice may be removed by taking the required course(s) in an approved nursing education program.
- 6) Each applicant for licensure by endorsement who, in connection with his/her original registration, was not tested on subject matter substantially equivalent to that required of Illinois nurses at such time, shall be required to take and pass, before a license will be issued by the Department, that subject matter not previously taken and passed.
- 7) Compliance with the provisions of Sections 1300.25(b)(3) and 1300.25(c)(3) for each registered professional nurse applicant and each practical nurse applicant, respectively, shall be a requirement for Illinois nurse licensure by endorsement.
- 8) Each applicant who graduated from a professional nursing education program after August 1, 1960, must furnish proof of having completed a course in psychiatric nursing with a theory and clinical component.
- 9) Each applicant who graduated from a nursing education program after 1958 must have completed a course in obstetric nursing with a theory and clinical component.
- b) Eligibility for Practical Nurse Endorsement. A candidate who is unable to pass the registered professional nurse examination in another jurisdiction and is allowed to write the practical nurse examination in that jurisdiction and is subsequently licensed as a practical nurse in that jurisdiction is not eligible for endorsement in Illinois unless and until such candidate has graduated from an approved practical nursing education program.
- c) Sections of Examinations Passed in More Than One State Prior to the Implementation of the Single Score Examination. The Department will grant an Illinois license as a registered professional nurse to an individual who has been licensed in another state and who is otherwise qualified for licensure in Illinois, whether or not all areas of the licensure examination were written in the same jurisdiction, if said examination(s) were written subsequent to February 1, 1976. If said examinations were written prior to February 1, 1976, the Department will review the individual's case to determine substantial equivalence under subsection (a)(6), above.

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- d) Individuals applying for licensure by endorsement may apply to the Department, on forms provided by the Department, to receive a Temporary Endorsement Permit pursuant to P.A. 86-1472. Such permit shall allow the applicant to work pending the issuance of a license by endorsement.
- 1) The temporary endorsement permit application shall include:
 - A) a completed, signed endorsement application, along with the required endorsement licensure fee as set forth in Section 23(e) of the Act. All supporting documents shall be submitted to the Department before a permanent license by endorsement shall be issued;
 - B) photostatic copies of all current active nursing licenses and/or temporary permits/licenses from other jurisdictions. Current active licensure in at least one United States jurisdiction is required; and
 - C) the temporary endorsement permit fee as required in Section 19(b)(3) of this Act.
- 2) The Department shall issue a temporary endorsement permit no later than 14 days after receipt of a completed application as set forth in subsection (1) above.
- 3) Temporary permits shall be terminated upon:
 - A) the issuance of a permanent license by endorsement;
 - B) failure to complete the application process within six (6) months from the date of issuance of the permit;
 - C) a finding by the Department that the applicant has been convicted of any crime under the laws of any jurisdiction of the United States which is a:
 - i) felony; or
 - ii) misdemeanor directly related to the practice of nursing within the last 5 years;
 - D) a finding by the Department that the applicant has had a license or permit related to the practice of nursing revoked, suspended or placed on probation by another jurisdiction, if at least one of the grounds is substantially equivalent to grounds in Illinois, within the last 5 years; or

DEPARTMENT OF PROFESSIONAL REGULATION

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- E) a finding by the Department that the applicant does not meet the licensure requirements for endorsement as set forth in this Section. The Department shall notify the applicant in writing of such termination.
- F) The Department shall notify the applicant by certified or registered mail of the intent to deny licensure pursuant to subsection (D) and (E) above and/or Section 25 of the Act.
- 4) A temporary permit shall be extended beyond the 6-month period upon recommendation of the Board and approval of the Director, due to hardship as defined below:
- A) serving full-time in the Armed Forces;
 - B) an incapacitating illness as documented by a currently licensed physician;
 - C) death of an immediate family member; or
 - D) extenuating circumstances beyond the applicant's control as approved by the Director.

(Source: Amended at 15 Ill. Reg. 8573, effective May 28, 1991.)

COMMISSIONER OF SAVINGS AND LOAN ASSOCIATIONS

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- 1) Heading of the Part: Residential Mortgage License Act of 1987
- 2) Code Citation: 38 Ill. Adm. Code 450
- 3)

<u>Section Numbers</u>	<u>Adopted Action</u>
450.210	Amendment
450.220	Amendment
450.250	Amendment
450.260	Amendment
450.280	Repeal
450.340	Amendment
450.350	Amendment
450.410	Amendment
450.430	Amendment
450.440	Amendment
450.720	Amendment
450.740	Amendment
450.820	Amendment
450.860	Amendment
450.910	Amendment
450.1010	Amendment
450.1110	Amendment
450.1130	Repeal
450.1175	Add
450.1230	Amendment
450.1340	Amendment
450.1550	Amendment

4) Statutory Authority:

Implementing and authorized by the Residential Mortgage License Act of 1987 (Ill. Rev. Stat. 1989, ch. 17, par. 2324-1(g)).

- 5) Effective Date of Rules: May 28, 1991.
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date filed in agency's principal office: February 5, 1991.
- 9) Date notice of proposed amendments was published in the Illinois Register: 15 Ill. Reg. 2573 - February 15, 1991.
- 10) Whether JCAR has issued a Statement of Objections to this Part: No.

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11) Differences between the proposal and the final version:

In Section 450.210(c), the following additional new language was inserted: "...except that the Commissioner may upon good cause shown grant an extension. An example of good cause may include, but shall not be limited to, death or incapacitating illness of the preparer, or catastrophic occurrence."

Inserted the phrase "upon approval of" and deleted, "at the date of filing" in Section 450.260(b).

Inserted the phrase "upon approval of" and deleted, "at the date of filing" in Section 450.350.

In Section 450.430 changed, "the licensee to pay a fee at the rate of \$500 per day..." to, "the licensee to pay a fee at the rate of \$50 per calendar day..."

Inserted additional new language in second sentence of Section 450.440(a) to read, "for payment of real property taxes or any other purpose authorized by the mortgage contract..."

Also, in Section 450.440(b) (4) and (5), the "or" was deleted from paragraph (4); new language, "any other purpose authorized by the mortgage contract; or", was inserted as paragraph (5); and, paragraph (5) was renumbered to paragraph (6).

Changed "Section 4-8(a) of the Act" to "Section 4-8(a) of the Residential Mortgage License Act (Ill. Rev. Stat. 1989, ch. 17, par. 2324-8) in Section 450.720(a).

The word "primary" and phrase, "residential lending activities of the" were included in with the proposed new language in Section 450.820(c)(6).

Proposed language for Section 450.860(c) was deleted.

Inserted "(38 Ill. Adm. Code 450)" after "and Rules promulgated thereunder" in Section 450.1110(a); and in same Section, underlined the colon in subheadings of subsections (a) and (b).

Section 450.1175(a) was rewritten by deleting, "regularly updated" and replacing it with, "kept current"; included the sentence, "Any report which the licensee generates may be substituted for the loan log."; in the following sentence, language was changed to read "the loan log or its substitute;

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deleted subsections (a) (7) and (8); and, (a) (9) was renumbered to (a) (7).

Deleted from the first sentence in Section 450.1230, "during processing"; and, "for which he or she applied and the costs of another recommended program would materially differ from the costs itemized on the Good Faith Estimate" was inserted to replace "contemplated at the time of application".

Amended Section 450.1340 by deleting the word "regular", in the opening paragraph, and replacing it with "application fees and"; and, deleted the following text in subsection (b):

"b) To the extent such charges were paid or required to be paid by the licensee to third parties not affiliated with the licensee such as appraisers or credit reporting agencies; or"

and replaced it with:

"b) To the extent such application fees and charges were incurred by the licensee on behalf of the borrower and were paid to parties such as credit agencies and appraisers; or"

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will these amendments replace emergency amendments currently in effect? No.

14) Are there any other proposed amendments pending on this Part? No.

15) Summary and purpose of rules:

The rules in this Part implement the Residential Mortgage License Act of 1987 (Ill. Rev. Stat. 1989, ch. 17, pars. 2321-1 et seq.) which creates a thorough regulatory structure and consumer protection provision that recognizes the growing complexity and volume of mortgage banking in Illinois.

These amendments represent the culmination of a comprehensive review by the Agency. The proposed changes include: amending the license investigation fees and license fees; adding expenses for travel time in examination fees; refinement to full-service offices; the repeal of late fees; reference to servicing contracts in calculation of net worth; refinement

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to late audit reports; additions to escrow funds; clarification of foreclosure rate; additions to the transfer of servicing, and to the payoff of outstanding mortgage loans; clarification of general prohibition in advertising; refinement of loan brokerage agreements; additions to the borrower information document; refinements concerning loan application practices in Subpart J; amending language regarding changes affecting loans in process, and the computation of time in administrative hearing procedures; as well as updating reference to the 1989 Illinois Revised Statutes and correcting typographical errors.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Jay R. Stevenson, Deputy Commissioner
Illinois Commissioner of Savings and Residential Finance
(Formerly the Commissioner of Savings and Loan Associations),
500 East Monroe Street, Suite 800
Springfield, Illinois 62701-1509
(217) 782-6169

The full text of the Adopted Amendments begins on the next page.

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NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER III: COMMISSIONER OF SAVINGS AND LOAN ASSOCIATIONS

PART 450
RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

SUBPART A: DEFINITIONS

Section
450.110
450.115
450.120
450.125
450.130
450.140
450.150
450.170
450.175
450.185

Act
Administrative Decision
Assisting
Commissioner
Control
Employee
Hearing Officer
Party
Principal Place of Business
State

SUBPART B: FEES

Section
450.210
450.220
450.230
450.240
450.250
450.260
450.270
450.280
450.290

License Investigation Fees
License Fees
Amended License Fees - Corporate Changes
Duplicate Original License Fees
Examination Fees
Additional Full-Service Office Fees
Hearing Fees
Late Fees (Repeal)
Manner of Payment

SUBPART C: LICENSING

Section
450.310
450.320
450.330
450.340
450.350

Application for an Illinois Residential Mortgage License
Application for Renewal of an Illinois Residential Mortgage License
Waiver of License Fee
Full-Service Office
Additional Full-Service Office

SUBPART D: OPERATIONS AND SUPERVISION

Section
450.410
450.420
450.430
450.440
450.450

Net Worth
Line of Credit
Late Audit Reports
Escrow
Audit Workpapers

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450.460 Selection of Independent Auditor
 450.470 Proceedings Affecting a License
 450.475 Change in Business Activities
 450.480 Change of Ownership, Control or Name or Address of Licensee
 450.490 Bonding Requirements

SUBPART E: ANNUAL REPORT OF MORTGAGE ACTIVITY, MORTGAGE BROKERAGE ACTIVITY AND MORTGAGE SERVICING ACTIVITY

Section
 450.610 Filing Requirements
 450.620 Reporting Forms
 450.630 Annual Report of Mortgage Activity
 450.640 Annual Report of Brokerage Activity
 450.650 Annual Report of Servicing Activity
 450.660 Verification

SUBPART F: FORECLOSURE RATE

Section
 450.710 Computation of National Residential Mortgage Foreclosure Rate
 450.720 Computation of Illinois Residential Mortgage Foreclosure Rate
 450.730 Excess Foreclosure Rate
 450.740 Foreclosure Rate Hearing
 450.750 Commissioner's Authority - Unusually High Rate

SUBPART G: SERVICING

Section
 450.810 New Loans
 450.820 Transfer of Servicing
 450.830 Real Property Tax and Hazard Insurance Payments
 450.840 Payment Processing
 450.850 Toll-Free Telephone Arrangement
 450.860 Payoff of Outstanding Mortgage Loan

SUBPART H: ADVERTISING

Section
 450.910 General Prohibition
 450.920 Definition of Advertisement
 450.930 Compliance with Other Laws
 450.940 Requirements
 450.950 Misleading and Deceptive Advertising Prohibition

SUBPART I: LOAN BROKERAGE PRACTICES

Section
 450.1010 Loan Brokerage Agreement
 450.1020 Loan Brokerage Disclosure Statement

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450.1030 Prohibited Practice

SUBPART J: LOAN APPLICATION PRACTICES

Section
 450.1110 Borrower Information Document
 450.1120 Description of Required Documentation
 450.1130 Maintenance of Records (Repeal)
 450.1140 Loan Application Procedures
 450.1150 Copies of Signed Documents
 450.1160 Confirmation of Statements
 450.1170 Cancellation of Application
 450.1175 Maintenance of Records

SUBPART K: GENERAL LENDING PRACTICES

Section
 450.1210 Notice to Joint Borrowers
 450.1220 Inaccuracy of Disclosed Information
 450.1230 Changes Affecting Loans in Process
 450.1240 Prohibition of Unauthorized Lenders
 450.1250 Good Faith Requirements

SUBPART L: COMMITMENT AND CLOSING PRACTICES

Section
 450.1305 Approval Notice
 450.1310 Inconsistent Conditions Prohibited
 450.1315 Avoidance of Commitment
 450.1320 Charges to Seller
 450.1325 Intentional Delay
 450.1330 No Duplication to Borrower of Seller's Costs
 450.1335 Fees Prior to Closing
 450.1340 Refunds on Failure to Close
 450.1345 Representative at Closing
 450.1350 Compliance with Other Laws
 450.1355 Failure to Close - Disclosure
 450.1360 Escrow Account Agreements at Closing

SUBPART M: EXEMPTION GUIDELINES

Section
 450.1410 General
 450.1420 Interpretative Guidelines

SUBPART N: ADMINISTRATIVE HEARING PROCEDURES

Section
 450.1510 Applicability
 450.1520 Definitions
 450.1530 Filing
 450.1540 Form of Documents
 450.1550 Computation of Time

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450.1560 Appearances
 450.1570 Request for Hearing
 450.1580 Notice of Hearing
 450.1590 Service of the Notice of Hearing
 450.1595 Bill of Particulars or Motion for More Definite Statement
 450.1600 Motion and Answer
 450.1610 Consolidation and Severance of Matters - Additional Parties
 450.1620 Intervention
 450.1630 Postponement or Continuance of Hearing
 450.1640 Authority of Hearing Officer
 450.1650 Bias or Disqualification of Hearing Officer
 450.1660 Prehearing Conferences
 450.1670 Discovery
 450.1680 Subpoenas
 450.1690 Conduct of Hearing
 450.1700 Default
 450.1710 Evidence
 450.1720 Hostile Witnesses
 450.1730 Record of Proceedings
 450.1740 Briefs
 450.1750 Hearing Officer's Recommendation
 450.1760 Order of the Commissioner
 450.1770 Rehearings and Reopening of Hearings
 450.1790 Costs of Hearing

AUTHORITY: Implementing and authorized by the Residential Mortgage License Act of 1987 (Ill. Rev. Stat. 1989, ch. 17, pars. 2321-1 et seq.).

SOURCE: Filed January 18, 1974; amended at 2 Ill. Reg. 2, p. 1, effective January 16, 1978; codified at 8 Ill. Reg. 4524; amended at 9 Ill. Reg. 17393, effective October 24, 1985; Part repealed, new Part adopted by emergency action at 12 Ill. Reg. 3079, effective January 13, 1988, for a maximum of 150 days; Part repealed, New Part adopted at 12 Ill. Reg. 8685, effective May 10, 1988; emergency amendments at 12 Ill. Reg. 9721, effective May 18, 1988, for a maximum of 150 days; adopted at 12 Ill. Reg. 17093, effective October 11, 1988; amended at 13 Ill. Reg. 17056, effective October 20, 1989; amended at 15 Ill. Reg. 8580, effective May 28, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART B: FEES

Section 450.210 License Investigation Fees

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- a) For each application for a new Residential Mortgage License, the Commissioner shall receive and there shall be paid to the Commissioner a non-refundable Investigation Fee of \$1,000\$500.
- b) For each application for renewal of a Residential Mortgage License, the Commissioner shall receive and there shall be paid to the Commissioner a non-refundable Renewal Investigation Fee of \$600\$100.
- c) Notwithstanding any other provision of these Rules, failure to perfect an application, i.e., meet a second request for information within 10 business days of the request, shall automatically require the Commissioner to issue a denial of the application, except that the Commissioner may upon good cause shown grant an extension. An example of good cause may include, but shall not be limited to, death or incapacitating illness of the preparer, or catastrophic occurrence. Denial under such circumstances shall not affect new applications filed after the denial. Upon submission of an additional investigation fee, an applicant for a new license or renewal may reapply following denial.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.220 License Fees

- a) For each Application for a new Illinois Residential Mortgage License on which the Commissioner has made the findings that a License shall be issued, the Commissioner shall receive and there shall be paid to the Commissioner, a non-refundable License Fee of \$600\$1,000.
- b) For each Application for a Renewal of an Illinois Residential Mortgage License, on which the Commissioner has made the finding that a Renewal License shall be issued, the Commissioner shall receive and there shall be paid to the Commissioner a non-refundable License Fee of \$1,000\$1,400.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.250 Examination Fees

- a) Time expended in the conduct of any examination of the

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affairs of any licensee or its affiliates pursuant to the provision of Section 4-2 of the Act shall be billed by the Commissioner at a rate of \$400 per examiner day.

- b) Such fees shall be billed within forty-five (45) days following completion of the examination. However, the date of the billing shall not prejudice the validity of an invoice for any such fee or fees billed at a later date. Such fee shall be paid within thirty (30) days of receipt of the examination billing of the Commissioner.
- c) When out-of-state travel occurs in the conduct of any examination, the licensee will be billed for travel time and expenses incurred in the performance of duties. Billings for such expenses shall not exceed amounts authorized pursuant to the travel regulations of the Department of Central Management Services/Governor's Travel Control Board set forth at 80 Ill. Adm. Code 2800 (Travel).

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.260 Additional Full-Service Office Fees

- a) The Commissioner shall receive and there shall be paid to the Commissioner an Additional Full-Service Office Fee of \$150 for each Notice of Intent to Establish an Additional Full-Service Office required by Subpart C of this Part.

- b) Thereafter, such fee shall be paid upon approval of the date of filing the Application for Renewal of a Residential Mortgage License. Provided, however, such fee shall be prorated for that portion of time in which the licensee intends to operate such Additional Full-Service Office, remaining before the annual renewal date of the licensee.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.280 Late Fees (Repealed)

~~Thirty (30) days after the proper renewal date of a license, the Commissioner shall receive and there shall be paid to the Commissioner a late fee of \$100, and \$100 each month thereafter, until the license is either renewed or expires in accordance with~~

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~~Section 2-6 of the Act.~~

(Source: Repealed at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART C: LICENSING

Section 450.340 Full-Service Office

- a) Each licensee shall maintain a full-service office consistent with the provisions of Section 3-4 and 1-4(r) of the Act. At a minimum, each licensee shall:

- 1) Maintain a registered agent in Illinois; and
- 2) Provide a person or persons REASONABLY ADEQUATE TO HANDLE EFFICIENTLY COMMUNICATIONS, QUESTIONS, AND OTHER MATTERS RELATING REASONABLY ADEQUATE TO HANDLE EFFICIENTLY COMMUNICATIONS, QUESTIONS, AND OTHER MATTERS RELATING (Section 3-4 of the Act) to an application for a loan or existing loan and provide a toll-free telephone arrangement for doing so. In determining whether a licensee handles such matters in a reasonably adequate manner, the Commissioner shall consider consumer complaints received regarding such licensees and information obtained from examinations conducted and reports filed pursuant to the Act. In addition, the Commissioner shall consider whether the licensee has:

- A) Provided facilities and personnel adequate to accommodate a borrower who wishes to bring all documents applicable to his or her application for or existing home mortgage to the full-service office for examination in conjunction with an inquiry, complaint or concern.

- B) Maintained a supply of all documents required under Subparts G, H, I, J, K, and L of this part, where such Subparts apply to the licensee.

- b) If the Commissioner determines that a licensee is not in compliance with Section 3-4 of the Act, the Commissioner shall notify the licensee in writing detailing the requirements for bringing the licensee into compliance.

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(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.350 Additional Full-Service Office

Each licensee which intends to operate and maintain an additional full-service office, shall file a Notice of Intent to Establish an Additional Full-Service Office, on a form prescribed by the Commissioner, thirty (30) days prior to the proposed operation of such office. Such notice shall be accompanied by an Additional Full-Service Office Fee as set forth in Subpart B of this Part. Thereafter, such fee shall be paid upon approval of the date of filing the Application for Renewal of an Illinois Residential Mortgage License pursuant to Section 450.320 of this Subpart. Provided, however, such fee shall be prorated for that portion of time, in which the licensee intends to operate such additional full-service office, remaining before the annual renewal date of the licensee.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART D: OPERATIONS AND SUPERVISION

Section 450.410 Net Worth

- a) Amount. Except as provided in subsection (c) of this Section, each licensee shall maintain a minimum net worth of \$100,000.
- b) Calculation. Net worth shall be defined as total assets minus total liabilities, except that total assets shall not include the following:

- 1) That portion of a licensee's assets pledged to secure obligations of any person or entity other than that of the mortgagee;
- 2) Any asset (except construction loans receivable, secured by first mortgages from related companies) due from officers or stockholders having an interest;
- 3) That portion of any marketable security (listed or unlisted) not shown at the lower of cost or market, except for any shares of Federal National Mortgage Association stock required to be held under a servicing agreement which shall be carried at cost;

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- 4) Any real estate held for sale or investment where development will not start within two (2) years from date of acquisition;
- 5) Any amount in excess of the lower of the cost or market value of mortgages in foreclosure, construction loans, or foreclosed property acquired through foreclosures;
- 6) Any amount shown on the books for investment in and advances to joint ventures, subsidiaries, affiliates, and selected companies, which is greater than the value of said assets at equity;
- 7) Goodwill or value placed on insurance renewals or property management contract renewals or other similar intangibles;
- 8) Organization costs;
- 9) Any leasehold improvements not being amortized over the lesser of the expected life of the asset or the remaining term of the lease;
- 10) Commitment fees paid which are not recoverable through the closing or selling of loans; and
- 11) The value of any servicing contracts not determined in accordance with Financial Accounting Standards Board Statement No. 65 and Financial Accounting Standards Board Technical Bulletin 87-3. ~~American Institute of Certified Public Accountants (AICPA) Statement of position 76-2, dated August 25, 1976.~~

- c) Upon written approval of the Commissioner, a licensee, which engages solely in loan brokering as defined in Section 1-4(o) of the Act, may be excepted from complying with the net worth requirements of this Section provided such licensee provides written evidence to the Commissioner of such licensee's conformance with the net worth requirements of the United States Department of Housing and Urban Development, as set forth in The Audit Guide for Audits of HUD Approved Nonsupervised Mortgagees for Use by Independent Public Accountants. In determining whether to grant such exceptions the Commissioner shall consider the financial condition, experience and background of such licensee.

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(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.430 Late Audit Reports

Audit reports which are not delivered within one hundred twenty (120) days of the date specified in Section 3-2 of the Act, unless extended for cause by the Commissioner, shall cause the licensee to pay a fee ~~be fined~~ at the rate of \$50\$500 per calendar day for up to three months. An independent auditor may be appointed by the Commissioner at the expense of the licensee at any time after the 120th day. To qualify for an extension of time, a licensee shall apply to the Commissioner in writing at least fifteen (15) days prior to the deadline. In determining whether to grant an extension of time, the Commissioner shall consider whether such extension of time is based on conditions beyond the control of the licensee. The Commissioner shall appoint an independent auditor when the licensee is engaged in the activities of residential mortgage lending and has failed after the 120th day to submit the required certified annual audited ~~audited~~ financial statements, and has not been granted an extension by the Commissioner.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.440 Escrow

a) Escrow funds shall be disclosed as a part of the licensee's financial statement package. Escrow funds for payment of real property taxes or any other purpose authorized by the mortgage contract shall be maintained in a Federally insured depository institution and may not ~~in any case be commingled~~ ~~in any case be commingled~~ with any licensee's ~~licensee's~~ operating funds.

b) Where servicing includes maintenance of an escrow (impound) account for payment of tax bills and/or hazard insurance premiums, the funds collected for such account shall be placed in a Federally insured depository institution, to be removed and used only for:

- 1) authorized payments from the related escrow (impound) account for tax bills and/or hazard insurance premiums;
- 2) refunds to the mortgagor;
- 3) transferring to another Federally insured depository

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institution;

- 4) forwarding to the appropriate servicer in case of a transfer of servicing;
- 5) any other purpose authorized by the mortgage contract; or,
- 6) compliance with a regulatory or court order.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART F: FORECLOSURE RATE**Section 450.720 Computation of Illinois Residential Mortgage Foreclosure Rate**

~~Each licensee shall compute its Illinois Residential Mortgage Foreclosure Rate on government insured residential mortgage loans on a form prescribed by the Commissioner. Such form shall be filed by March 1 of each year.~~

(a) The Illinois Residential Mortgage Rate shall be that rate determined annually by the Commissioner in accordance with Section 4-8(a) of the Residential Mortgage License Act (Ill. Rev. Stat. 1989, ch. 17, par. 2324-8).

(b) Each licensee shall compute its Illinois Residential Mortgage Foreclosure Rate on mortgage loans on a form prescribed by the Commissioner. Such form shall be filed by March 1 of each year.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.740 Foreclosure Rate Hearing

a) Authority. The Commissioner shall hold public hearings concerning a licensee which is subject to examination pursuant to Section 450.730 of this Subpart. Such hearing shall be held in accordance with Section 4-8(c)(4) of the Act.

b) Notice. Written notice of the time, place, date and subject of such hearing shall be posted in both the Commissioner's Springfield and Chicago Offices at least ten (10) days prior to the hearing. The Commissioner may

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distribute such notice to other interested persons upon request.

- c) Testimony. Testimony at such public hearings shall be taken in accordance with Section 4-8(d)(c) of the Act. Testimony may be either oral or written. If oral, the party proposing to testify must complete a witness slip which shall be provided at the hearing. If written, the proposed testimony must be received by the Commissioner prior to the hearing. ~~Notwithstanding~~ ~~Notwithstanding~~ the foregoing, testimony shall be permitted at the hearing only if the party proposing to testify has completed, and the Commissioner has received, either a written letter of complaint or a consumer complaint form as prescribed by the Commissioner.

- d) Hearings. Hearings held under this Section shall be for informational purposes only and shall not be subject to Subpart N of this Part.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART G: SERVICING

Section 450.820 Transfer of Servicing

- a) No licensee shall sell or transfer servicing to, or accept or purchase servicing from, any entity other than a licensee or an entity exempt from licensing pursuant to Section 1-4(d) of the Act unless specifically authorized by the Commissioner.
- b) Any licensee who is a party to an arrangement for large transfers of servicing shall make certain that sufficient staff and facilities are dedicated to such transfers to prevent inconvenience to mortgagors.

- c) Notice to Mortgagor of Transfer. Whenever the servicing of a residential mortgage loan is transferred or sold by a licensee, or purchased or accepted by a licensee, each licensee who is a party to the arrangement shall issue to the mortgagor, simultaneous with such transfer, a notice which shall include at a minimum:

- 1) where and to whom to address questions relating to the mortgage, and a toll-free telephone arrangement of the licensee which purchased or accepted such

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mortgage for doing so;

- 2) the name and address to whom payments are to be submitted for at least the next three months;
- 3) the amount of each payment required for the next three (3) months. However, there shall be no violation of this requirement when the licensee is unable to predict accurately precise amounts for each of the next three (3) months. Examples of such situations may include a residential mortgage loan contract calling for a potential rate change during the relevant period, or the scheduled annual analysis of an escrow (impound) account for payment of real property taxes and/or hazard insurance;
- 4) the effective date of the transfer;
- 5) reassurance that the transfer of servicing does not affect the terms and conditions of the mortgage;
- 6) the name and address of the primary regulatory authority having jurisdiction over the residential lending activities of the entity to whom payments are to be sent.

- d) Additional Responsibilities of Transferring Licensee. In addition to the notice to mortgagor described in subsection (c) above, responsibilities of a licensee who transfers or sells servicing on a residential mortgage loan shall include but not be limited:

- 1) Promptly providing the insurance carrier or agent with a notice transfer and identify both the policy number and loan number when servicing includes payment of hazard insurance premiums;
- 2) Promptly notifying the tax-bill service or taxing authority of the transfer when servicing includes payment of real property taxes;
- 3) Forward to the buying or accepting servicer:
 - A) Escrow (impound) balances;
 - B) Correspondence, bills, receipts and documents relating to the transferred loans;

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- C) Mortgage payments daily, for a period of at least sixty (60) days.

e) In addition to the notice described in subsection (c) above, responsibilities of a licensee buying or accepting transfer of servicing of a residential mortgage loan shall include but not be limited to:

- 1) Promptly furnishing to the customer payment identification materials required by the licensee for efficient processing of customer remittances. Examples of such items are payment coupon books and preprinted envelopes;
- 2) Promptly responding to each mortgagor's questions regarding payoffs, assumptions, statements of account and general servicing procedures;
- 3) Practicing forbearance with the mortgagor when sorting out transfer-related problems, including but not limited to delinquency and assessment of late charges.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.860 Payoff of Outstanding Mortgage Loan

a) When a check or other negotiable instrument received in final payment is deposited in a financial institution, the licensee's refund policy shall conform to Section 4-213 of the Uniform Commercial Code (Ill. Rev. Stat. 1989-987, ch. 26, par. 4-213) time requirements on making such funds available for withdrawal by the licensee.

b) Payoff Letter. Within ten (10) business days of receipt of a written request from an entity authorized by the borrower, a licensee shall furnish a written notice of the total amount required to pay in full an outstanding mortgage loan, as of a specified date. Such payoff letter shall itemize and explain all charges included in the total figure stated.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART H: ADVERTISING

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Section 450.910 General Prohibition

No person, partnership, association, corporation or other entity except a licensee or an entity exempt from licensing pursuant to Section 1-4(d) of the Act shall cause to be circulated or use any advertising appearing in the State of Illinois or make any representation or give any information to any person, which indicates or reasonably implies activity involving the making, servicing or brokering of loans secured by residential real estate located in Illinois.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART I: LOAN BROKERAGE PRACTICES**Section 450.1010 Loan Brokerage Agreement**

Before a mortgage loan applicant, also referred to herein as "borrower" or "customer", signs a completed residential mortgage loan application or gives the licensee any consideration, whichever comes first, a loan brokerage agreement shall be required and shall be in writing and signed by both the mortgage loan applicant, also referred to herein as "borrower" or "customer", and a licensee whose services to such customer shall be loan brokering as defined at Section 1-4(o) of the Act.

a) The loan brokerage agreement shall carry a clear and conspicuous statement that, upon request, a copy of the loan brokerage agreement shall be made available to the borrower or the borrower's attorney for review prior to signing.

b) Both the licensee's authorized representative and the borrower shall sign and date the loan brokerage agreement at the same time, and a copy of the executed agreement shall be given to the customer at the time of signing.

c) The loan brokerage agreement shall contain an explicit description of the services the licensee agrees to perform for the borrower and a good faith estimate of all consideration and remuneration to be exchanged in conjunction with such services. In the same area of the agreement shall be language, of prominence equal to or greater than such estimate, listing the types of situations or conditions which could materially affect the amounts indicated due to details which could not be known by the licensee at the time of signing the loan

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brokerage agreement. "Examples of such situation or conditions may include, but not be limited to, an appraised value different from that estimated by the borrower or credit obligations which the borrower fails to report."

d) The loan brokerage agreement shall carry a clear and conspicuous statement as to the conditions under which the borrower is obligated to pay the licensee.

e) The loan brokerage agreement shall provide that if the licensee makes false or misleading statements in such agreement, the borrower may, upon written notice:

- 1) Void the agreement;
- 2) Recover monies paid to the broker for which no services have been performed; and
- 3) Recover actual costs, including attorney fees for enforcing the borrower's rights under the loan brokerage agreement.

f) The loan brokerage agreement shall incorporate by reference the "Loan Brokerage Disclosure Statement" described in Section 450.1020 of this Subpart.

g) The loan brokerage agreement shall be the only agreement between the borrower and licensee with respect to a single loan; except, the licensee shall also provide to the customer any disclosure statement necessary to comply with Federal and State requirements, including but not limited to, the Consumer Protection Credit Act (15 U.S.C. 1601), Equal Credit Opportunity Act (Title VII), and Truth in Lending Act (Title I) and Consumer Fraud and Deceptive Business Practices Act (Ill. Rev. Stat. 1989-1987, ch. 121 1/2, par. 261 et seq.).

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART J: LOAN APPLICATION PRACTICES

Section 450.1110 Borrower Information Document

Borrower Information Document. Before a mortgage loan applicant, also referred to herein as "borrower" or "customer", signs a completed residential mortgage loan application or gives the

licensee any consideration, whichever comes first, the licensee shall give the customer a Borrower Information Document. The document may be incorporated into or appended to such material as is necessary for compliance with relative Federal requirements, including but not limited to Regulation Z (12 CFR 226). Except for the explicit wording required by subsection (a) of this Section, the following format is for illustrative purposes only; however, all of the following information shall be included in the document. ~~However, the format is for illustrative purposes only;~~

a) Regulatory Disclosure Statement: The following statement: "This document is being provided to you pursuant to the Residential Mortgage License Act of 1987 and this Part and Rules promulgated thereunder (38 Ill. Adm. Code 450). The purpose of this document is to set forth those exhibits and materials you should receive or be receiving in connection with your residential mortgage loan application with (name of licensee), holder of a Licensee (license number) and regulated by the State of Illinois, Office of the Commissioner of Savings and Residential Finance, under the aforesaid Act".

b) Significant information: Significant information on the types of situations which could affect the processing of the loan but which may not be known by the licensee at the time the application was taken. Examples of such situations may include, but not be limited to:

- 1) An appraisal value different from that estimated by the borrower;
- 2) Credit obligations which the borrower fails to report;
- 3) A change in the borrower's financial circumstances which would result in his or her ineligibility for the loan; or
- 4) A material change or discontinuation of a loan program by an investor or other entity, such as the U. S. Department of Housing, ~~or~~ the Veterans' Administration or a private investor.

c) "Settlement Cost Booklet": If the mortgage relates to the purchase of the security real estate, a "Settlement Cost Booklet" as required by Federal law (Real Estate Settlement Procedures Act (12 U.S.C. 2601 et seq.)), that describes the settlement process.

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d) Good Faith Estimate of Costs:

1) For any residential mortgage loan, regardless of whether it represents a position of first or junior lien against the security real estate, ~~A Good Faith Estimate of the costs that will be paid in connection with the financing pursuant to as outlined in Regulation Z (12 CFR 226) as well as a good faith estimate of amount and nature of charges discussed at Section 450.1320(b) of this Part.~~

2) If the mortgage relates to the purchase of the security real estate, a good faith estimate of the amount and nature of charges discussed at Section 450.1320(b) of this Part, "Charges to Seller".

e) Loan Application: A copy of the loan application or equivalent form that will have to be signed and delivered to the lender in order to obtain the loan.

f) Mortgage Escrow Account Act, Related Document: If the mortgage is not FHA-insured or VA-guaranteed and relates to the purchase of owner-occupied, single-family security real estate, unless there is a certainty that the lender will not require maintenance of an escrow account for payment of taxes, a copy of the Mortgage Escrow Account Act (Ill. Rev. Stat. 1989-987, ch. 17, par. 4901 et seq.) along with a copy of the document to be executed by the applicant at closing with respect to use of a pledged time deposit account in lieu of an escrow account pursuant to such Act.

g) "Consumer Handbook on Adjustable Rate Mortgages": If the mortgage is an adjustable rate mortgage representing a first-lien position with respect to the security real estate, the "Consumer Handbook on Adjustable Rate Mortgages" as required by Federal regulations (12 CFR 535.13), that describes the special features of adjustable rate mortgages.

h) Documents upon Request: Upon request by the applicant, the following information shall be provided:

1) A sample of the form of note and mortgage that will be executed if the loan applied for is approved;

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2) A sample copy of the commitment letter;

3) A general description of underwriting standards that will be considered in evaluating the application.

i) Dated Customer Acknowledgment: A provision for an applicant to acknowledge receipt of each of the above-listed disclosures, showing the date of such receipt.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.1130 Maintenance of Records (Repealed)

~~Each licensee shall maintain such Borrower Information Documents on file for three years as part of its books and records to be examined by the Commissioner.~~

(Source: Repealed at 15 Ill. Reg. 8580, effective May 28, 1991)

Section 450.1175 Maintenance of Records

a) Loan Log. Each licensee shall maintain a loan log which shall be kept current according to record maintenance procedures of the licensee and shall be produced for examination by the Commissioner. Any report which the licensee generates may be substituted for the loan log. At a minimum, the loan log or its substitute shall contain the following with respect to each loan application received during the previous 36 months:

1) application date;

2) borrower name;

3) property address;

4) loan amount;

5) terms, loan program;

6) loan officer;

7) if closed, disposition of the loan and servicing.

b) Loan File Retention.

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1) With respect to each loan application, each licensee, except as provided in subsection (b)(2) of this section, shall maintain the following documents on file, for 36 months from the date of closing or other termination of loan processing, as part of its books and records to be examined by the Commissioner:

- A) the Loan Brokerage Agreement and Loan Brokerage Disclosure Statement, if any mortgage loan brokerage services were utilized by the mortgage loan applicant;
- B) the Borrower Information Document;
- C) all documents signed by the customer, including but not limited to the initial loan application, disclosure documents and closing documents;
- D) the appraisal and credit report as well as all other third-party documents relating to the loan; and
- E) all other documents in or related to the loan file.

2) Each licensee shall retain, at a minimum, the documents referenced in subsections (b)(1)(A) and (B) above. With respect to subsections (b)(1)(C) through (E) above, a licensee need retain only those documents originated by that licensee's activity in connection with the loan; however, the Commissioner may require the licensee to obtain copies of the remaining documents to produce for examination of its books and records.

c) Secondary Market Information. If a licensee sells, assigns or purchases any loans or any servicing of loans, the licensee shall retain the following documents for 36 months from the date of each transaction, as part of its books and records to be examined by the Commissioner:

- 1) the contract and delivery schedules detailing loans sold, assigned or purchased; and
- 2) the contract and delivery schedules detailing servicing sold, assigned or purchased.

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(Source: Added at 15 Ill. Reg. 8580, effective May 28, 1991.

SUBPART K: GENERAL LENDING PRACTICES

Section 450.1230 Changes Affecting Loans in Process

a) If it is determined that a borrower does not qualify for the loan amount, terms or program for which he or she applied and the costs of another recommended program would materially differ from the costs itemized on the Good Faith Estimate, the licensee immediately shall provide to the customer a written, and when possible, a verbal, plain-English explanation of any program the licensee recommends as one for which the borrower may be qualified. Such explanation shall include but not be limited to detailed information on costs to the borrower.

b) When any notice of a future or immediate change of rules or requirements is received from a secondary market underwriter, an investor, the Federal Housing Administration or the Veteran's Administration which materially affects a loan in process, the licensee processing the loan application shall so notify the customer in writing, and when possible, verbally, immediately upon receipt of such notice. Examples include but are not limited to future or immediate change of rules or requirements, discontinuation of a specific loan program, failure by the borrower to qualify and alternatives, if any, available to the borrower.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART L: COMMITMENT AND CLOSING PRACTICES

Section 450.1340 Refunds on Failure to Close

If a residential mortgage loan is not closed, all the licensee's application fees and regular charges shall be refunded to the borrower, except:

- a) To the extent a written agreement between the borrower and licensee or a written notification required by this Part specifies that they are nonrefundable; and
- b) ~~To the extent such charges were paid or required to be paid by the licensee to third parties not affiliated with~~

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~~the licensee such as appraisers or credit reporting agencies; or~~

b) To the extent such application fees and charges were incurred by the licensee on behalf of the borrower and were paid to parties such as credit agencies and appraisers; or

c) When failure to close was due to action or failure to act by the borrowers.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

SUBPART N: ADMINISTRATIVE HEARING PROCEDURES

Section 450.1550 Computation of Time

Computation of any period of time prescribed by this Subpart shall begin with the first business day following the date of filing of the documentation with the Agency and shall run until the end of the last day, or the next following business day if the last day is a Saturday, Sunday or legal holiday, where the period of time is five (5) days or less, Saturdays, Sundays and legal holidays shall be excluded in the computation of time. Notice requirements shall be construed to mean notice received, but proof that notice was dispatched by means reasonably calculated to be received by the prescribed date shall be prima facie proof that notice was timely received.

(Source: Amended at 15 Ill. Reg. 8580, effective May 28, 1991)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
STRATTON OFFICE BUILDING

ROOM A-1
SPRINGFIELD, ILLINOIS
10:00 A.M.
JUNE 11, 1991

NOTICE: It is the policy of JCAR to allow only representatives of state agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee at the following address:

Joint Committee on Administrative Rules
509 South Sixth Street - Room 500
Springfield, Illinois 62701

AGENDA

I. Approval of May 14, 1991 Minutes

II. Review of Proposed Agency Rulemaking

Department on Aging

1. Community Care Program (89 Ill. Adm. Code 240)
-First Notice Published: 14 Ill. Reg. 18635 - 11-26-90
-Expiration of Second Notice Period: 7-1-91

Department of Central Management Services

2. Pay Plan (80 Ill. Adm. Code 310)
-First Notice Published: 15 Ill. Reg. 4497 - 3-29-91
-Expiration of Second Notice Period: 7-1-91

Illinois Commerce Commission

3. Transfers of Licenses (92 Ill. Adm. Code 1270)
-First Notice Published: 14 Ill. Reg. 16170 - 10-5-90
-Expiration of Second Notice Period: 7-5-91

Department of Conservation

4. Illinois Salmon Stamp Contest Procedures (17 Ill. Adm. Code 2550)
-First Notice Published: 15 Ill. Reg. 3655 - 3-15-91
-Expiration of Second Notice Period: 6-17-91

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

5. Dove Hunting (17 Ill. Adm. Code 730)
-First Notice Published: 15 Ill. Reg. 4200 - 3-22-91
-Expiration of Second Notice Period: 6-24-91
6. Squirrel Hunting (17 Ill. Adm. Code 690)
-First Notice Published: 15 Ill. Reg. 4214 - 3-22-91
-Expiration of Second Notice Period: 6-24-91
7. Woodcock, Snipe, Rail and Teal Hunting (17 Ill. Adm. Code 740)
-First Notice Published: 15 Ill. Reg. 4222 - 3-22-91
-Expiration of Second Notice Period: 6-27-91
8. Competitive Tournament Fishing on State-Owned and/or Leased Water Areas (17 Ill. Adm. Code 115)
-First Notice Published: 15 Ill. Reg. 3365 - 3-8-91
-Expiration of Second Notice Period: 7-5-91
9. White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill. Adm. Code 670)
-First Notice Published: 15 Ill. Reg. 4836 - 4-5-91
-Expiration of Second Notice Period: 7-8-91
10. General Hunting and Trapping on Department-Owned or -Managed Sites (17 Ill. Adm. Code 510)
-First Notice Published: 15 Ill. Reg. 4829 - 4-5-91
-Expiration of Second Notice Period: 7-8-91
11. Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting (17 Ill. Adm. Code 530)
-First Notice Published: 15 Ill. Reg. 4805 - 4-5-91
-Expiration of Second Notice Period: 7-8-91
12. White-Tailed Deer Hunting by Use of Firearms (17 Ill. Adm. Code 650)
-First Notice Published: 15 Ill. Reg. 4853 - 4-5-91
-Expiration of Second Notice Period: 7-8-91

Department of Employment Security

13. Payment of Unemployment Contributions, Interest and Penalties (56 Ill. Adm. Code 2765)
-First Notice Published: 15 Ill. Reg. 3381 - 3-8-91
-Expiration of Second Notice Period: 6-17-91
14. Repeal of Supplemental Federal Benefits (56 Ill. Adm. Code 2875)
-First Notice Published: 15 Ill. Reg. 4555 - 3-29-91
-Expiration of Second Notice Period: 7-1-91

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Illinois Board of Higher Education

15. Illinois Consortium for Educational Opportunity Program (23 Ill. Adm. Code 2400)
-First Notice Published: 15 Ill. Reg. 4550 - 3-29-91
-Expiration of Second Notice Period: 6-27-91

Historic Preservation Agency

16. Public Use of Historic Sites and Properties (17 Ill. Adm. Code 4160)
-First Notice Published: 15 Ill. Reg. 1680 - 2-8-91
-Expiration of Second Notice Period: 7-25-91

Department of Mental Health and Developmental Disabilities

17. Administration (59 Ill. Adm. Code 101)
-First Notice Published: 15 Ill. Reg. 3386 - 3-8-91
-Expiration of Second Notice Period: 7-8-91

Department of Nuclear Safety

18. Licensing of Radioactive Material (32 Ill. Adm. Code 330)
-First Notice Published: 14 Ill. Reg. 11471 - 7-20-90
-Expiration of Second Notice Period: 7-1-91
19. Use of Radionuclides in the Healing Arts (32 Ill. Adm. Code 335)
-First Notice Published: 14 Ill. Reg. 11585 - 7-20-90
-Expiration of Second Notice Period: 7-1-91

Pollution Control Board

20. General Provisions (35 Ill. Adm. Code 501)
-First Notice Published: 15 Ill. Reg. 3141 - 3-1-91
-Expiration of Second Notice Period: 7-5-91

Department of Professional Regulation

21. Real Estate License Act of 1983 (68 Ill. Adm. Code 1450)
-First Notice Published: 14 Ill. Reg. 19515 - 12-14-90
-Expiration of Second Notice Period: 6-13-91
22. The Illinois Landscape Architecture Act of 1989 (68 Ill. Adm. Code 1275)
-First Notice Published: 15 Ill. Reg. 3218 - 3-1-91
-Expiration of Second Notice Period: 6-20-91

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Department of Public Aid

23. Medical Assistance Programs (89 Ill. Adm. Code 120)
-First Notice Published: 15 Ill. Reg. 2908 - 2-22-91
-Expiration of Second Notice Period: 7-1-91
24. Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147)
-First Notice Published: 15 Ill. Reg. 870 - 1-25-91
-Expiration of Second Notice Period: 7-8-91

Department of Public Health

25. AIDS Confidentiality and Testing Code (77 Ill. Adm. Code 697)
-First Notice Published: 14 Ill. Reg. 16779 - 11-12-90
-Expiration of Second Notice Period: 6-17-91
26. Maternal and Child Health Services Code (77 Ill. Adm. Code 630)
-First Notice Published: 14 Ill. Reg. 15726 - 9-28-90
-Expiration of Second Notice Period: 6-20-91
27. The Illinois Formulary for the Drug Product Selection Program (77 Ill. Adm. Code 790)
-First Notice Published: 15 Ill. Reg. 3417 - 3-8-91
-Expiration of Second Notice Period: 7-1-91

Illinois Racing Board

28. Pick N Wagering Pool (11 Ill. Adm. Code 438)
-First Notice Published: 15 Ill. Reg. 5012 - 4-5-91
-Expiration of Second Notice Period: 7-8-91

Department of Rehabilitation Services

29. Listing of Impairments (89 Ill. Adm. Code 860)
-First Notice Published: 15 Ill. Reg. 3228 - 3-1-91
-Expiration of Second Notice Period: 6-24-91

Department of Revenue

30. Charitable Games Act (86 Ill. Adm. Code 435)
-First Notice Published: 15 Ill. Reg. 1748 - 2-8-91
-Expiration of Second Notice Period: 7-1-91
31. Pull Tabs and Jar Games Act (86 Ill. Adm. Code 432)
-First Notice Published: 15 Ill. Reg. 1777 - 2-8-91
-Expiration of Second Notice Period: 7-5-91

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

32. Bingo License and Tax Act (86 Ill. Adm. Code 430)
-First Notice Published: 15 Ill. Reg. 1724 - 2-8-91
-Expiration of Second Notice Period: 7-5-91

Secretary of State

33. Certificates of Title, Registration of Vehicles (92 Ill. Adm. Code 1010)
-First Notice Published: 15 Ill. Reg. 4686 - 3-29-91
-Expiration of Second Notice Period: 6-17-91

Department of State Police Merit Board

34. Procedures of the Department of State Police Merit Board (80 Ill. Adm. Code 150)
-First Notice Published: 15 Ill. Reg. 5200 - 4-12-91
-Expiration of Second Notice Period: 7-8-91

III. Certification of No Objection to Proposed Rulemaking

IV. Agency Responses to Joint Committee Statements of Objection
Office of the Comptroller

35. Public Radio and Television Station Grants (74 Ill. Adm. Code 280)
-First Published: 14 Ill. Reg. 18359 - 11-16-90
-Objection Date: 3-19-91
-Response: Refusal

V. Exempt Rulemakings

Pollution Control Board

36. Underground Storage Tanks (35 Ill. Adm. Code 731)
-Proposed Date: 12-21-90; R90-12
-Adopted Date: 2-28-91

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the week of May 20, 1991 through May 24, 1991, and have been scheduled for review by the Committee at its June 11, 1991 meeting. Other items not contained in this published list may also be considered by the Committee at its June meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
7/5/91	Illinois Commerce Commission, Transfers of Licenses (92 Ill. Adm. Code 1270)	10/5/90 14 Ill. Reg. 16170	June 11, 1991
7/5/91	Department of Conservation, Competitive Tournament Fishing on State-Owned and/or Leased Water Areas (17 Ill. Adm. Code 115)	3/8/91 15 Ill. Reg. 3365	June 11, 1991
7/5/91	Pollution Control Board, General Provisions (35 Ill. Adm. Code 501)	3/1/91 15 Ill. Reg. 3141	June 11, 1991
7/5/91	Department of Revenue, Pull Tabs and Jar Games Act (86 Ill. Adm. Code 432)	2/8/91 15 Ill. Reg. 1777	June 11, 1991
7/5/91	Department of Revenue, Bingo License and Tax Act (86 Ill. Adm. Code 430)	2/8/91 15 Ill. Reg. 1724	June 11, 1991
7/8/91	Illinois Racing Board, Pick N Wagering Pool (11 Ill. Adm. Code 438)	4/5/91 15 Ill. Reg. 5012	June 11, 1991
7/8/91	Department of Public Aid, Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147)	1/25/91 15 Ill. Reg. 870	June 11, 1991
7/8/91	Department of Mental Health and Developmental Disabilities, Administration (59 Ill. Adm. Code 101)	3/8/91 15 Ill. Reg. 3386	June 11, 1991

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED
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Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
7/8/91	Department of Conservation, White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill. Adm. Code 670)	4/5/91 15 Ill. Reg. 4836	June 11, 1991
7/8/91	Department of Conservation, General Hunting and Trapping on Department-Owned or Managed Sites (17 Ill. Adm. Code 510)	4/5/91 15 Ill. Reg. 4829	June 11, 1991
7/8/91	Department of Conservation, Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting (17 Ill. Adm. Code 530)	4/5/91 15 Ill. Reg. 4805	June 11, 1991
7/8/91	Department of Conservation, White-Tailed Deer Hunting by Use of Firearms (17 Ill. Adm. Code 650)	4/5/91 15 Ill. Reg. 4853	June 11, 1991
7/8/91	Department of the State Police Merit Board, Procedures of the Department of State Police Merit Board (80 Ill. Adm. Code 150)	4/12/91 15 Ill. Reg. 5200	June 11, 1991

PROCLAMATION

BETH EDEN BAPTIST CHURCH CENTENNIAL CELEBRATION DAY
91-269

Whereas, on June 1, 1991, Beth Eden Baptist Church will celebrate 100 years of Christian services to the Chicago and suburban communities with a special "Centennial Week Celebration"; and

Whereas, William Tyler, the founder of this church, spearheaded the formation of the "Mother Church" of Morgan Park and worked diligently with the first pastor, Reverend George Bell, to lay the foundation upon which several pastors and church persons have worked for the betterment of the congregation and community; and

Whereas, through the years some of Chicago's most outstanding businessmen and women, educators, ministers and contributing members of society have emerged from Beth Eden Baptist Church; and

Whereas, under the present pastorate of the Reverend Craig M. Jenkins, the church is moving forward, continuing its "outreach" ministry with the Girl Scouts program, the sponsorship of an African child in Togo, the youth ministry, Bible study groups, along with the Young People's Choir, the Hand Bell Choir and many interior and exterior improvements; and

Whereas, the Christian family within the membership of the Beth Eden Baptist Church has served, is serving, and will continue to serve as a viable entity and to provide the spiritual, cultural, and social needs of the entire East Morgan Park ecumenical community;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 1, 1991, as BETH EDEN BAPTIST CHURCH CENTENNIAL CELEBRATION DAY in Illinois and commend the church for the contributions it has made to the East Morgan Park community.

Issued by the Governor May 21, 1991.
 Filed with the Secretary of State May 28, 1991.

GRUNDY COUNTY SESQUICENTENNIAL CELEBRATION DAYS
91-270

Whereas, Grundy County has enjoyed an exciting, 150-year history, producing motivated, dedicated, and determined citizens willing to serve their country and help preserve the cherished ideals of every citizen; and

Whereas, Grundy County has a proud history of positive citizen involvement in the varied activities of charitable, civic, community, fraternal, patriotic, recreational, religious, and other social groups; and

Whereas, Grundy County has sought to maintain harmony and accord between county government, township government, and municipal government to achieve mutually beneficial goals; and

Whereas, Grundy County has encouraged cooperation between the agricultural community, the business community, the industrial community, and the residential community; and

Whereas, Grundy County has always recognized the importance of providing accessible, quality educational opportunities for all its citizens; and

Whereas, Grundy County, by its experience from the past, looks forward to a realistic, relevant, and acceptable economic development program for the future;

Whereas, Grundy County has and will continue to work to preserve and enhance the quality of life now enjoyed by all its citizens; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 14-23, 1991, as GRUNDY COUNTY SESQUICENTENNIAL CELEBRATION DAYS in Illinois and encourage its citizens to move forward into the future with the same motivation, dedication, and determination they have demonstrated in the past.

Issued by the Governor May 21, 1991.

Filed with the Secretary of State May 28, 1991.

MULTIPLE SCLEROSIS SOCIETY MONTH
91-271

Whereas, multiple sclerosis (MS) is a debilitating disease that affects a person's central nervous system without warning; and

Whereas, MS is known as a disease of young adults, frequently affecting those between the ages of 20 and 40; and

Whereas, because a cure has not been found, MS victims must endure suffering for the rest of their lives. Many victims are permanently or intermittently unable to walk, see, or function as vital and vibrant individuals; and

Whereas, the Multiple Sclerosis Society, founded in 1946, is a nonprofit health organization which supports international research into the cause, cure, and treatment of multiple sclerosis; and

Whereas, through its nationwide network of 140 chapters and branches, the Society provides educational, health care, and advocacy services to the MS population, their families, and loved ones;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1991 as MULTIPLE SCLEROSIS SOCIETY MONTH in Illinois and commend this organization for its commitment to improving the quality of life for MS victims.

Issued by the Governor May 21, 1991.

Filed with the Secretary of State May 28, 1991.

91-272

MILDRED B. ANGELO DAY

Whereas, Mildred B. Angelo has devoted almost 60 years of her life to teaching; and

Whereas, Mrs. Angelo has spent most of her career working with the physically and mentally disabled. Since 1950 she has been instrumental in establishing numerous special education programs; and

Whereas, currently she is teaching the developmentally disabled in Jamaica while serving a 2 1/2 year tour of duty with the Peace Corps; and

Whereas, family and friends will join Mrs. Angelo in celebrating her 80th birthday on Memorial Day 1991 while she is on leave from the Peace Corps;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 27, 1991, as MILDRED B. ANGELO DAY in Illinois and thank her for her years of devoted service and her continuing efforts to educate today's youth.

Issued by the Governor May 21, 1991.

Filed with the Secretary of State May 28, 1991.

91-273

ORTHO-OLYMPICS DAY

Whereas, 1991 marks the 12th anniversary of Chicago Public Schools' Ortho-Olympics; and

Whereas, participating in sports is especially meaningful to the many physically disabled students who will be competing in the Ortho-Olympics on June 7; and

Whereas, sports play an important part in the lives of contemporary Americans, providing recreation, challenge, excitement, and satisfaction; and

Whereas, this event will give participants the thrill of competition, the joy of meeting other athletes, and the satisfaction that comes from doing the very best they can; and

Whereas, additionally, this event eloquently demonstrates that a disability doesn't have to stand in the way of a full and active life;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 7, 1991, as ORTHO-OLYMPICS DAY in Illinois, and I applaud the efforts of the participants, their teachers, parents, and other volunteers who make this event possible.

Issued by the Governor May 22, 1991.

Filed with the Secretary of State May 28, 1991.

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ACTION CODES

ICAR - Joint Committee on Administrative Rules

A - Adopted Rule
AR - Adopted Repealer
C - Notice of Corrections
CC - Codification Changes
E - Emergency Rule
ER - Emergency Repealer
M - Modification to meet ICAR objections
O - ICAR Statement of Objections
P - Proposed Rule
PF - Prohibited Filing Ordered by ICAR
PP - Peremptory or Court ordered Rules
PR - Proposed Repealer
R - Refusal to meet ICAR objection
RC - Statement of Recommendation
S - Suspension ordered by ICAR
W - Withdrawal to meet ICAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 285 III. Grain Insurance Act (P-18048/85; A-6818)

TITLE PART ACTION CODE PAGE NUMBER PREVIOUS VOLUME ACTION CODE PAGE NUMBER ACTION CODE

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-141; A-6513)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (E-2838)

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 255 Agrichemical Facilities (E-128)
8 Ill. Adm. Code 270 III. State Fair & DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-10965/90; A-455)
8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-620; W-1574) (P-1583) (PP-3117)
2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-6105)
8 Ill. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs (P-19087/90; A-5207)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

77 Ill. Adm. Code 2058 Licensure of Alcoholism & Substance Abuse Treatment, Intervention & Research Programs (P-6457/90; A-2597) (P-8837)

ASBESTOS ABATEMENT AUTHORITY, ILLINOIS

2 Ill. Adm. Code 2650 Organization, rulemaking & Public Information (A-2660)

ATTORNEY GENERAL

14 Ill. Adm. Code 475 Motor Vehicle Advertising (P-6343)

AUDITOR GENERAL

74 Ill. Adm. Code 420

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38 Ill. Adm. Code 307 Code of Regs. (P-15645/90; A-3429)
Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-3611)
38 Ill. Adm. Code 354 Administration of Collateral Obtained in Collection of a Debt (P-3614)
38 Ill. Adm. Code 397 Corporate Fiduciary Receivership Account (P-15181/90; A-167)
38 Ill. Adm. Code 350 Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-2053)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-2989/90; A-4109)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 Ill. Adm. Code 303 Conditions of Employment (P-4801) (E-5076) (P-17399/90; A-5214)
89 Ill. Adm. Code 1300 Day Care (P-5141)
80 Ill. Adm. Code 310 Pay Plan (PP-663) (P-14657/90; A-3296) (P-15186/90; A-4401) (P-4497; W-5920) (PP-5100) (P-5147) (PP-5465) (P-6364)
44 Ill. Adm. Code 5030 Personal Use of State Telephones (P-1203)
44 Ill. Adm. Code 5040 State Vehicles & Garage (P-17403/90; A-7553)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Dept. (P-4303/90; A-24)
89 Ill. Adm. Code 335 Relative Home Placement (P-8415)

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92 Ill. Adm. Code 1311 Commodity Group Definitions (P-4195)
83 Ill. Adm. Code 756 Dual Party Relay Service (P-18675/90; A-5618)
83 Ill. Adm. Code 220 Reports of Accidents by Telecommunications Carriers & by Fixed Public Utilities Other Than Pipelines Transporting Liquids (P-15653/90; A-5056)
83 Ill. Adm. Code 780 Right-of-Way Precondemnation Negotiations by Telephone Companies (P-13 00/90; A-5062)
83 Ill. Adm. Code 730 Standards of Service for Local Exchange Telecommunications Carriers (P-1627)
83 Ill. Adm. Code 730 Standards of Service for Telephone Utilities (G.O. 197) (PR-1650)
83 Ill. Adm. Code 755 Telecommunications Access for the Hearing & Voice Impaired (P-19109/90; A-5624)
83 Ill. Adm. Code 757 Telephone Assistance Programs (PR-4803; ER-5082; RC-5111)
83 Ill. Adm. Code 710 Uniform System of Accounts for Telecommunications Carriers (P-20565/90; A-8205)
92 Ill. Adm. Code 1308 Unlawful Operations (P-8097)

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14 Ill. Adm. Code 510 III. Promotion Act (P-677)
14 Ill. Adm. Code 510 III. Promotion Act Programs (P-13072/90; A-2673)
14 Ill. Adm. Code 570 III. Small Business Development Program (P-4528)
56 Ill. Adm. Code 2650 Industrial Training Program (P-19503/90; W-3602)
14 Ill. Adm. Code 550 Local Tourism & Convention Bureau Program (P-8782/90; A-1798)
47 Ill. Adm. Code 100 Residential Energy Assistance Partnership Program (P-15189/90; O-1575; R-3603; A-3437)
14 Ill. Adm. Code 640 Rural Diversification Act Program (P-13391/90; A-7558)
56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-691)
47 Ill. Adm. Code 110 State Administration of the Federal Community Development Block Grant Program for Small Cities (P-10985/90; O-19076/90; R-3127 A-4410)
14 Ill. Adm. Code 545 Technology Advancement & Development Act Programs (P-3620)
14 Ill. Adm. Code 540 Technology Commercialization Grant-In-Aid Programs (P-11022/90; A-973)
56 Ill. Adm. Code 2610 Training Services for the Disadvantaged (P-16117/90; A-7595) (P-3641)
56 Ill. Adm. Code 2630 Uniform Fiscal & Administrative Standards for the Job Training Partnership Act (P-8081)

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The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking activity occurred in the previous issues of this volume year; the second lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 1 Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: (P-857789; A-724) The codes for both columns are listed below. For a complete listing of the Titles of the Illinois Administrative Code, please refer to 1 Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= reclassified	F	= Failure to Remedy
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PF	= Prohibited Filing
		PP	= Peremptory rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

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100.350	am	(P-7522)	
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100.450	am	(P-7522)	
100.500	am	(P-7522)	
100.510	am	(P-7522)	
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100.550	am	(P-7522)	
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100.735	am	(P-7522)	
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100.900	am	(P-7522)	
100.1010	am	(P-7522)	
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100.1100	am	(P-7522)	
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100.1200	am	(P-7522)	
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2650.50	n	(A-2660)	
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2650.205	n	(A-2660)	
2650.210	n	(A-2660)	
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2650.300	n	(A-2660)	
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TITLE 3			
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2650.410	n	(A-2660)	
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440.40	n	(P-8975/90; A-3492)	510.60	am	(P-677)	640.160	n	(P-13391/90; A-7558)	660.10	am	(P-6851)
440.50	n	(P-8975/90; A-3492)	510.70	am	(P-677)	640.170	n	(P-13391/90; A-7558)	660.20	n	(P-19123/90; A-4777)
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440.70	n	(P-8975/90; A-3492)	510.110	n	(P-13072/90; A-2673)	640.190	n	(P-13391/90; A-7558)	660.21	am	(P-6851)
440.80	n	(P-8975/90; A-3492)	510.120	n	(P-13072/90; A-2673)	640.200	n	(P-13391/90; A-7558)	660.21	am	(P-6851)
440.90	n	(P-8975/90; A-3492)	510.130	n	(P-13072/90; A-2673)	640.210	n	(P-13391/90; A-7558)	660.25	n	(P-6851)
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440.100	n	(P-8975/90; A-3492)	510.160	n	(P-13072/90; A-2673)	640.240	n	(P-13391/90; A-7558)	660.30	am	(P-6851)
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440.120	n	(P-8975/90; A-3492)	510.175	n	(P-13072/90; A-2673)	640.260	n	(P-13391/90; A-7558)	660.40	am	(P-6851)
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440.140	n	(P-8975/90; A-3492)	510.190	n	(P-13072/90; A-2673)	640.290	n	(P-13391/90; A-7558)	660.60	n	(P-6851)
440.150	n	(P-8975/90; A-3492)	510.195	n	(P-13072/90; A-2673)	640.300	n	(P-13391/90; A-7558)	670.10	am	(P-4836)
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720.100	n	(P-19703/90; A-5755)	540.110	n	(P-11022/90; A-973)	640.330	n	(P-13391/90; A-7558)	670.40	am	(P-4836)
1312.265	am	(P-14750/90; A-2727)	540.120	n	(P-11022/90; A-973)	640.340	n	(P-13391/90; A-7558)	670.60	am	(P-4836)
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1413.48	am	(P-12385/90; A-2730)	540.150	n	(P-11022/90; A-973)				680.30	n	(P-8107)
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		(P-19690/90; W-1173)	540.170	n	(P-11022/90; A-973)				680.50	n	(P-8107)
1424.355	am		540.180	n	(P-11022/90; A-973)				680.60	n	(P-8107)
			540.190	n	(P-11022/90; A-973)				680.70	n	(P-8107)
			545.315	am	(P-3620)				690.20	am	(P-4214)
			545.320	am	(P-3620)				690.30	am	(P-4214)
			545.325	am	(P-3620)				710.10	am	(P-18409/90; A-4161)
			545.330	am	(P-3620)				710.20	am	(P-18409/90; A-4161)
			545.345	am	(P-3620)				710.30	am	(P-18409/90; A-4161)
			545.350	am	(P-3620)				710.60	am	(P-18409/90; A-4161)
			545.355	am	(P-3620)				715.10	am	(P-18409/90; A-4161)
			545.360	am	(P-3620)				715.20	am	(P-6842)
			550.20	am	(P-8782/90; A-1798)				715.30	am	(P-6842)
			550.30	am	(P-8782/90; A-1798)				715.40	am	(P-6842)
			550.35	am	(P-8782/90; A-1798)				720.10	am	(P-6836)
			550.40	am	(P-8782/90; A-1798)				720.30	am	(P-6836)
			550.50	am	(P-4528)				720.40	am	(P-6836)
			570.10	am	(P-4528)				730.10	am	(P-4200)
			570.20	am	(P-4528)				730.20	am	(P-4200)
			570.25	am	(P-4528)				730.30	am	(P-4200)
			570.30	am	(P-4528)				740.10	am	(P-4222)
			570.40	am	(P-4528)				740.20	am	(P-4222)
			570.50	am	(P-4528)				810.30	r	(P-18905/90; A-4699)
			570.60	am	(P-4528)				810.35	r	(P-18905/90; A-4699)
			570.70	am	(P-4528)				810.35	am	(P-8101)
			640.5	n	(P-13391/90; A-7558)				810.35	am	(P-18905/90; A-4699)
			640.10	n	(P-13391/90; A-7558)				810.37	n	(P-18905/90; A-4699)
			640.20	n	(P-13391/90; A-7558)				810.40	r	(P-18905/90; A-4699)
			640.30	n	(P-13391/90; A-7558)				810.45	n	(P-18905/90; A-4699)
			640.40	n	(P-13391/90; A-7558)				810.45	am	(P-5160) (E-5430)
			640.50	n	(P-13391/90; A-7558)				810.50	am	(P-18905/90; A-4699)
			640.60	n	(P-13391/90; A-7558)				810.70	am	(P-18905/90; A-4699)
			640.70	n	(P-13391/90; A-7558)				830.05	n	(P-2057; RC-8314; A-8544)
			640.80	n	(P-13391/90; A-7558)				830.20	am	(P-2057; RC-8314; A-8544)
			640.90	n	(P-13391/90; A-7558)				830.60	am	(P-2057; RC-8314; A-8544)
			640.100	n	(P-13391/90; A-7558)				830.70	am	(P-2057; RC-8314; A-8544)
			640.110	n	(P-13391/90; A-7558)				830.80	am	(P-2057; RC-8314; A-8544)

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TITLE 11 (CONT'D)

475.720	n	(P-6343)
510.10	am	(P-677)
510.20	am	(P-677)
510.40	am	(P-677)
510.50	am	(P-677)
510.60	am	(P-677)
510.70	am	(P-677)
510.80	am	(P-677)
510.110	n	(P-13072/90; A-2673)
510.120	n	(P-13072/90; A-2673)
510.130	n	(P-13072/90; A-2673)
510.140	n	(P-13072/90; A-2673)
510.150	n	(P-13072/90; A-2673)
510.160	n	(P-13072/90; A-2673)
510.170	n	(P-13072/90; A-2673)
510.175	n	(P-13072/90; A-2673)
510.180	n	(P-13072/90; A-2673)
510.185	n	(P-13072/90; A-2673)
510.190	n	(P-13072/90; A-2673)
510.195	n	(P-13072/90; A-2673)
510.200	n	(P-13072/90; A-2673)
510.205	n	(P-13072/90; A-2673)
540.110	n	(P-11022/90; A-973)
540.120	n	(P-11022/90; A-973)
540.130	n	(P-11022/90; A-973)
540.140	n	(P-11022/90; A-973)
540.150	n	(P-11022/90; A-973)
540.160	n	(P-11022/90; A-973)
540.170	n	(P-11022/90; A-973)
540.180	n	(P-11022/90; A-973)
540.190	n	(P-11022/90; A-973)
545.315	am	(P-3620)
545.320	am	(P-3620)
545.325	am	(P-3620)
545.330	am	(P-3620)
545.345	am	(P-3620)
545.350	am	(P-3620)
545.355	am	(P-3620)
545.360	am	(P-3620)
550.20	am	(P-8782/90; A-1798)
550.30	am	(P-8782/90; A-1798)
550.35	am	(P-8782/90; A-1798)
550.40	am	(P-8782/90; A-1798)
550.50	am	(P-8782/90; A-1798)
570.10	am	(P-4528)
570.20	am	(P-4528)
570.25	am	(P-4528)
570.30	am	(P-4528)
570.40	am	(P-4528)
570.50	am	(P-4528)
570.60	am	(P-4528)
570.70	am	(P-4528)
640.5	n	(P-13391/90; A-7558)
640.10	n	(P-13391/90; A-7558)
640.20	n	(P-13391/90; A-7558)
640.30	n	(P-13391/90; A-7558)
640.40	n	(P-13391/90; A-7558)
640.50	n	(P-13391/90; A-7558)
640.60	n	(P-13391/90; A-7558)
640.70	n	(P-13391/90; A-7558)
640.80	n	(P-13391/90; A-7558)
640.90	n	(P-13391/90; A-7558)
640.100	n	(P-13391/90; A-7558)
640.110	n	(P-13391/90; A-7558)

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TITLE 17 (CONT'D)

830.90	am		460.40	am	(P-18421/90; A-3479)
950.40	am		460.50	am	(P-18421/90; A-3479)
950.50	am		460.60	am	(P-18421/90; A-3479)
1070.20	am		460.70	am	(P-18421/90; A-3479)
1535.10	am		460.80	am	(P-18421/90; A-3479)
1590.50	am		460.90	am	(P-18421/90; A-3479)
1590.80	am		502.20	am	(P-5935)
1590.90	am		701.270	am	(P-7861)
2520.50	am		1215.10	am	(P-12398/90; A-1107)
2550.10	am		1215.20	n	(P-12398/90; A-1107)
2550.15	am		1215.30	n	(P-12398/90; A-1107)
3035.10	am		1215.40	n	(P-12398/90; A-1107)
3035.30	am		1215.50	n	(P-12398/90; A-1107)
3035.40	am		1225.10	n	(P-16847/90; A-5886)
3035.50	am		1225.20	n	(P-16847/90; A-5886)
3035.60	am		1225.30	n	(P-16847/90; A-5886)
3035.70	am		1225.40	n	(P-16847/90; A-5886)
3040.00	am		1225.50	n	(P-16847/90; A-5886)
3040.05	am		1560.10	n	(P-8800/90; A-7034)
3040.10	am		1560.20	n	(P-8800/90; A-7034)
3040.15	am		1560.30	n	(P-8800/90; A-7034)
3040.20	am		1560.40	n	(P-8800/90; A-7034)
3040.25	am		1560.50	n	(P-8800/90; A-7034)
3040.30	am		1560.60	n	(P-8800/90; A-7034)
3040.35	am		1720.30	am	(P-16198/90; A-999)
3040.40	am		1720.30	am	(P-16198/90; A-999)
4160.10	n		1720.30	am	(P-16198/90; A-999)
4160.20	n		1720.30	am	(P-16198/90; A-999)
4160.30	n		1720.30	am	(P-16198/90; A-999)
4160.40	n		1720.30	am	(P-16198/90; A-999)
4160.50	n		1720.30	am	(P-16198/90; A-999)
4160.60	n		1720.30	am	(P-16198/90; A-999)
4160.70	n		1720.30	am	(P-16198/90; A-999)
4160.80	n		1720.30	am	(P-16198/90; A-999)
4160.90	n		1720.30	am	(P-16198/90; A-999)
4161.00	n		1720.30	am	(P-16198/90; A-999)
4161.10	n		1720.30	am	(P-16198/90; A-999)
4161.20	n		1720.30	am	(P-16198/90; A-999)
4161.30	n		1720.30	am	(P-16198/90; A-999)
4161.40	n		1720.30	am	(P-16198/90; A-999)
4161.50	n		1720.30	am	(P-16198/90; A-999)
4161.60	n		1720.30	am	(P-16198/90; A-999)
4161.70	n		1720.30	am	(P-16198/90; A-999)
4161.80	n		1720.30	am	(P-16198/90; A-999)

TITLE 23

1.245	n		226.40	am	(P-6931/90; O-21110/90; M-2877; A-2692)
226.50	am		226.50	am	(P-11068/90; A-40)
226.520	am		226.520	am	(P-11068/90; A-40)
226.525	am		226.525	am	(P-11068/90; A-40)
226.552	am		226.552	am	(P-11068/90; A-40)
226.555	am		226.555	am	(P-11068/90; A-40)
226.560	am		226.560	am	(P-11068/90; A-40)
226.605	am		226.605	am	(P-11068/90; A-40)
226.612	r		226.612	r	(P-11068/90; A-40)
226.615	r		226.615	r	(P-11068/90; A-40)
226.620	r		226.620	r	(P-11068/90; A-40)
226.680	am		226.680	am	(P-11068/90; A-40)
226.684	am		226.684	am	(P-11068/90; A-40)
226.720	am		226.720	am	(P-11068/90; A-40)
226.730	am		226.730	am	(P-11068/90; A-40)
250.70	am		250.70	am	(P-11447/90; A-463)
2400.20	am		2400.20	am	(P-4550)
2400.30	am		2400.30	am	(P-4550)
2400.50	am		2400.50	am	(P-4550)
2790.10	am		2790.10	am	(P-5034)
2790.20	am		2790.20	am	(P-5034)
2790.30	am		2790.30	am	(P-5034)
2790.40	am		2790.40	am	(P-5034)
2790.50	am		2790.50	am	(P-5034)
2790.60	am		2790.60	am	(P-5034)
2790.70	am		2790.70	am	(P-5034)
2790.80	am		2790.80	am	(P-5034)
2790.90	am		2790.90	am	(P-5034)
2790.100	am		2790.100	am	(P-5034)
2790.110	am		2790.110	am	(P-5034)
2790.120	am		2790.120	am	(P-5034)
2790.130	am		2790.130	am	(P-5034)
2790.140	am		2790.140	am	(P-5034)
2790.150	am		2790.150	am	(P-5034)
2790.160	am		2790.160	am	(P-5034)
2790.170	am		2790.170	am	(P-5034)
2790.180	am		2790.180	am	(P-5034)
2790.190	am		2790.190	am	(P-5034)
2790.200	am		2790.200	am	(P-5034)
2790.210	am		2790.210	am	(P-5034)
2790.220	am		2790.220	am	(P-5034)
2790.230	am		2790.230	am	(P-5034)
2790.240	am		2790.240	am	(P-5034)
2790.250	am		2790.250	am	(P-5034)
2790.260	am		2790.260	am	(P-5034)
2790.270	am		2790.270	am	(P-5034)
2790.280	am		2790.280	am	(P-5034)
2790.290	am		2790.290	am	(P-5034)
2790.300	am		2790.300	am	(P-5034)
2790.310	am		2790.310	am	(P-5034)
2790.320	am		2790.320	am	(P-5034)
2790.330	am		2790.330	am	(P-5034)
2790.340	am		2790.340	am	(P-5034)
2790.350	am		2790.350	am	(P-5034)
2790.360	am		2790.360	am	(P-5034)
2790.370	am		2790.370	am	(P-5034)
2790.380	am		2790.380	am	(P-5034)
2790.390	am		2790.390	am	(P-5034)
2790.400	am		2790.400	am	(P-5034)
2790.410	am		2790.410	am	(P-5034)
2790.420	am		2790.420	am	(P-5034)
2790.430	am		2790.430	am	(P-5034)
2790.440	am		2790.440	am	(P-5034)
2790.450	am		2790.450	am	(P-5034)
2790.460	am		2790.460	am	(P-5034)
2790.470	am		2790.470	am	(P-5034)
2790.480	am		2790.480	am	(P-5034)
2790.490	am		2790.490	am	(P-5034)
2790.500	am		2790.500	am	(P-5034)
2790.510	am		2790.510	am	(P-5034)
2790.520	am		2790.520	am	(P-5034)
2790.530	am		2790.530	am	(P-5034)
2790.540	am		2790.540	am	(P-5034)
2790.550	am		2790.550	am	(P-5034)
2790.560	am		2790.560	am	(P-5034)
2790.570	am		2790.570	am	(P-5034)
2790.580	am		2790.580	am	(P-5034)
2790.590	am		2790.590	am	(P-5034)
2790.600	am		2790.600	am	(P-5034)
2790.610	am		2790.610	am	(P-5034)
2790.620	am		2790.620	am	(P-5034)
2790.630	am		2790.630	am	(P-5034)
2790.640	am		2790.640	am	(P-5034)
2790.650	am		2790.650	am	(P-5034)
2790.660	am		2790.660	am	(P-5034)
2790.670	am		2790.670	am	(P-5034)
2790.680	am		2790.680	am	(P-5034)
2790.690	am		2790.690	am	(P-5034)
2790.700	am		2790.700	am	(P-5034)
2790.710	am		2790.710	am	(P-5034)
2790.720	am		2790.720	am	(P-5034)
2790.730	am		2790.730	am	(P-5034)
2790.740	am		2790.740	am	(P-5034)
2790.750	am		2790.750	am	(P-5034)
2790.760	am		2790.760	am	(P-5034)
2790.770	am		2790.770	am	(P-5034)
2790.780	am		2790.780	am	(P-5034)
2790.790	am		2790.790	am	(P-5034)
2790.800	am		2790.800	am	(P-5034)
2790.810	am		2790.810	am	(P-5034)
2790.820	am		2790.820	am	(P-5034)
2790.830	am		2790.830	am	(P-5034)
2790.840	am		2790.840	am	(P-5034)
2790.850	am		2790.850	am	(P-5034)
2790.860	am		2790.860	am	(P-5034)
2790.870	am		2790.870	am	(P-5034)
2790.880	am		2790.880	am	(P-5034)
2790.890	am		2790.890	am	(P-5034)
2790.900	am		2790.900	am	(P-5034)
2790.910	am		2790.910	am	(P-5034)
2790.920	am		2790.920	am	(P-5034)
2790.930	am		2790.930	am	(P-5034)
2790.940	am		2790.940	am	(P-5034)
2790.950	am		2790.950	am	(P-5034)
2790.960	am		2790.960	am	(P-5034)
2790.970	am		2790.970	am	(P-5034)
2790.980	am		2790.980	am	(P-5034)
2790.990	am		2790.990	am	(P-5034)
2791.000	am		2791.000	am	(P-5034)
2791.010	am		2791.010	am	(P-5034)
2791.020	am		2791.020	am	(P-5034)
2791.030	am		2791.030	am	(P-5034)
2791.040	am		2791.040	am	(P-5034)
2791.050	am		2791.050	am	(P-5034)
2791.060	am		2791.060	am	(P-5034)
2791.070	am		2791.070	am	(P-5034)
2791.080	am		2791.080	am	(P-5034)
2791.090	am		2791.090	am	(P-5034)
2791.100	am		2791.100	am	(P-5034)
2791.110	am		2791.110	am	(P-5034)
2791.120	am		2791.120	am	(P-5034)
2791.130	am		2791.130	am	(P-5034)
2791.140	am		2791.140	am	(P-5034)
2791.150	am		2791.150	am	(P-5034)
2791.160	am		2791.160	am	(P-5034)
2791.170	am		2791.170	am	(P-5034)
2791.180	am		2791.180	am	(P-5034)
2791.190	am		2791.190	am	(P-5034)
2791.200	am		2791.200	am	(P-5034)
2791.210	am		2791.210	am	(P-5034)
2791.220	am		2791.220	am	(P-5034)
2791.230	am		2791.230	am	(P-5034)
2791.240	am		2791.240	am	(P-5034)
2791.250	am		2791.250	am	(P-5034)
2791.260	am		2791.260	am	(P-5034)
2791.270	am		2791.270	am	(P-5034)
2791.280	am		2791.280	am	(P-5034)
2791.290	am		2791.290	am	(P-5034)
2791.300	am		2791.300	am	(P-5034)
2791.310	am		2791.310	am	(P-5034)
2791.320	am		2791.320	am	(P-5034)
2791.330	am		2791.330	am	(P-5034)
2791.340	am		2791.340	am	(P-5034)
2791.350	am		2791.350	am	(P-5034)
2791.360	am		2791.360	am	

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100.30	r	(P-5939)	215.105	am	(P-8877/90; A-8018)			
125.425	am	(P-5943)	215.108	n	(P-6414) (P-8877/90; A-8018)			
210.10	n	(P-3814/90; A-4450)	215.123	am	(P-768)			
210.Ap.A	n	(P-3814/90; A-4450)	215.480	am	(P-8877/90; A-8018)			
			215.481	am	(P-8877/90; A-8018)			
			215.482	am	(P-8877/90; A-8018)			
			215.483	am	(P-8877/90; A-8018)			
	am	(P-15672/90; A-90)	215.484	am	(P-8877/90; A-8018)			
331.10	am	(P-15672/90; A-90)	215.485	am	(P-8877/90; A-8018)			
331.20	am	(P-15672/90; A-90)	215.486	am	(P-8877/90; A-8018)			
331.30	am	(P-15672/90; A-90)	215.487	am	(P-8877/90; A-8018)			
331.110	am	(P-15672/90; A-90)	215.488	am	(P-8877/90; A-8018)			
331.120	am	(P-15672/90; A-90)	215.489	#	(P-8877/90; A-8018)			
331.130	n	(P-15672/90; A-90)	215.489	#	(P-8877/90; A-8018)			
331.200	am	(P-15672/90; A-90)	215.490	#	(P-8877/90; A-8018)			
331.210	r	(P-15672/90; A-90)	215.490	am	(P-8877/90; A-8018)			
331.310	am	(P-15672/90; A-90)	215.491	am	(P-3659)			
331.Ap.B	n	(P-15672/90; A-90)	215.581	am	(P-12701/90; A-3309)			
331.Ap.C	n	(P-15672/90; A-90)	215.585	am	(P-3675)			
360.20	am	(P-6940/90; A-6180)	218.100	n	(P-3675)			
360.30	am	(P-6940/90; A-6180)	218.101	n	(P-3675)			
360.40	am	(P-6940/90; A-6180)	218.102	n	(P-3675)			
360.60	am	(P-6940/90; A-6180)	218.103	n	(P-3675)			
360.20	am	(P-6940/90; A-6180)	218.104	n	(P-3675)			
360.70	am	(P-6940/90; A-6180)	218.105	n	(P-3675)			
360.71	am	(P-6940/90; A-6180)	218.106	n	(P-3675)			
360.71	n	(P-6940/90; A-6180)	218.107	n	(P-3675)			
360.Ap.A	n	(P-6940/90; A-6180)	218.108	n	(P-3675)			
360.II.A	n	(P-6940/90; A-6180)	218.109	n	(P-3675)			
360.II.B	n	(P-6940/90; A-6180)	218.110	n	(P-3675)			
360.II.C	am	(P-6940/90; A-6180)	218.111	n	(P-3675)			
370.10	r	(P-11653/90; RC-8316)	218.112	n	(P-3675)			
370.20	r	(P-11653/90; RC-8316)	218.121	n	(P-3675)			
370.25	r	(P-11653/90; RC-8316)	218.122	n	(P-3675)			
370.30	r	(P-11653/90; RC-8316)	218.123	n	(P-3675)			
370.40	r	(P-11653/90; RC-8316)	218.124	n	(P-3675)			
401.20	am	(P-1390; A-7054)	218.125	n	(P-3675)			
401.30	am	(P-1390; A-7054)	218.126	n	(P-3675)			
401.40	am	(P-1390; A-7054)	218.141	n	(P-3675)			
401.50	am	(P-1390; A-7054)	218.142	n	(P-3675)			
401.60	am	(P-1390; A-7054)	218.143	n	(P-3675)			
401.70	am	(P-1390; A-7054)	218.144	n	(P-3675)			
401.80	am	(P-1390; A-7054)	218.181	n	(P-3675)			
401.100	am	(P-1390; A-7054)	218.182	n	(P-3675)			
401.110	am	(P-1390; A-7054)	218.183	n	(P-3675)			
401.130	am	(P-1390; A-7054)	218.184	n	(P-3675)			
401.140	am	(P-1390; A-7054)	218.185	n	(P-3675)			
401.Ap.A	n	(P-1390; A-7054)	218.186	n	(P-3675)			
401.Ap.B	n	(P-1390; A-7054)	218.204	n	(P-3675)			
			218.205	n	(P-3675)			
	am	(P-780)	218.206	n	(P-3675)			
201.102	am	(P-780)	218.207	n	(P-3675)			
201.401	am	(P-4573) (P-12697/90; A-5223)	218.208	n	(P-3675)			
211.122	am	(P-6385) (P-8416/90; A-7901)	218.209	n	(P-3675)			
			218.210	n	(P-3675)			
212.110	am	(P-4668)	218.211	n	(P-3675)			
212.111	am	(P-4668)	218.301	n	(P-3675)			
212.113	am	(P-791)	218.302	n	(P-3675)			
212.205	am	(P-4668)	218.303	n	(P-3675)			
212.423	n	(P-4668)	218.304	n	(P-3675)			
212.424	n	(P-791)	218.401	n	(P-3675)			
212.443	am	(P-11098/90; A-1017)	218.402	n	(P-3675)			
214.101	am	(P-11098/90; A-1017)	218.403	n	(P-3675)			
215.100	am	(P-3659)	218.404	n	(P-3675)			
215.102	am	(P-8877/90; A-8018)	218.405	n	(P-3675)			

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TITLE 35 (CONT'D)		TITLE 35 (CONT'D)		TITLE 35 (CONT'D)	
218.421	(P-3675)	218.612	(P-3675)	218.128	(P-3892)
218.422	(P-3675)	218.613	(P-3675)	219.141	(P-3892)
218.423	(P-3675)	218.614	(P-3675)	219.142	(P-3892)
218.424	(P-3675)	218.615	(P-3675)	219.143	(P-3892)
218.425	(P-3675)	218.616	(P-3675)	219.144	(P-3892)
218.426	(P-3675)	218.617	(P-3675)	219.181	(P-3892)
218.427	(P-3675)	218.618	(P-3675)	219.182	(P-3892)
218.428	(P-3675)	218.619	(P-3675)	219.183	(P-3892)
218.429	(P-3675)	218.620	(P-3675)	219.184	(P-3892)
218.430	(P-3675)	218.621	(P-3675)	219.185	(P-3892)
218.431	(P-3675)	218.622	(P-3675)	219.186	(P-3892)
218.432	(P-3675)	218.623	(P-3675)	219.187	(P-3892)
218.433	(P-3675)	218.624	(P-3675)	219.204	(P-3892)
218.434	(P-3675)	218.625	(P-3675)	219.205	(P-3892)
218.435	(P-3675)	218.626	(P-3675)	219.206	(P-3892)
218.436	(P-3675)	218.627	(P-3675)	219.207	(P-3892)
218.437	(P-3675)	218.628	(P-3675)	219.208	(P-3892)
218.438	(P-3675)	218.629	(P-3675)	219.209	(P-3892)
218.439	(P-3675)	218.630	(P-3675)	219.210	(P-3892)
218.440	(P-3675)	218.631	(P-3675)	219.211	(P-3892)
218.441	(P-3675)	218.632	(P-3675)	219.301	(P-3892)
218.442	(P-3675)	218.633	(P-3675)	219.302	(P-3892)
218.443	(P-3675)	218.634	(P-3675)	219.303	(P-3892)
218.444	(P-3675)	218.635	(P-3675)	219.304	(P-3892)
218.445	(P-3675)	218.636	(P-3675)	219.401	(P-3892)
218.446	(P-3675)	218.637	(P-3675)	219.402	(P-3892)
218.447	(P-3675)	218.638	(P-3675)	219.403	(P-3892)
218.448	(P-3675)	218.639	(P-3675)	219.404	(P-3892)
218.449	(P-3675)	218.640	(P-3675)	219.405	(P-3892)
218.450	(P-3675)	218.641	(P-3675)	219.421	(P-3892)
218.451	(P-3675)	218.642	(P-3675)	219.422	(P-3892)
218.452	(P-3675)	218.643	(P-3675)	219.423	(P-3892)
218.453	(P-3675)	218.644	(P-3675)	219.424	(P-3892)
218.454	(P-3675)	218.645	(P-3675)	219.425	(P-3892)
218.455	(P-3675)	218.646	(P-3675)	219.426	(P-3892)
218.456	(P-3675)	218.647	(P-3675)	219.427	(P-3892)
218.457	(P-3675)	218.648	(P-3675)	219.428	(P-3892)
218.458	(P-3675)	218.649	(P-3675)	219.429	(P-3892)
218.459	(P-3675)	218.650	(P-3675)	219.430	(P-3892)
218.460	(P-3675)	218.651	(P-3675)	219.441	(P-3892)
218.461	(P-3675)	218.652	(P-3675)	219.442	(P-3892)
218.462	(P-3675)	218.653	(P-3675)	219.443	(P-3892)
218.463	(P-3675)	218.654	(P-3675)	219.444	(P-3892)
218.464	(P-3675)	218.655	(P-3675)	219.445	(P-3892)
218.465	(P-3675)	218.656	(P-3892)	219.446	(P-3892)
218.466	(P-3675)	218.657	(P-3892)	219.447	(P-3892)
218.467	(P-3675)	219.101	(P-3892)	219.448	(P-3892)
218.468	(P-3675)	219.102	(P-3892)	219.449	(P-3892)
218.469	(P-3675)	219.103	(P-3892)	219.450	(P-3892)
218.470	(P-3675)	219.104	(P-3892)	219.451	(P-3892)
218.471	(P-3675)	219.105	(P-3892)	219.452	(P-3892)
218.472	(P-3675)	219.106	(P-3892)	219.453	(P-3892)
218.473	(P-3675)	219.107	(P-3892)	219.454	(P-3892)
218.474	(P-3675)	219.108	(P-3892)	219.461	(P-3892)
218.475	(P-3675)	219.109	(P-3892)	219.462	(P-3892)
218.476	(P-3675)	219.110	(P-3892)	219.463	(P-3892)
218.477	(P-3675)	219.111	(P-3892)	219.464	(P-3892)
218.478	(P-3675)	219.112	(P-3892)	219.465	(P-3892)
218.479	(P-3675)	219.121	(P-3892)	219.466	(P-3892)
218.480	(P-3675)	219.122	(P-3892)	219.480	(P-3892)
218.481	(P-3675)	219.123	(P-3892)	219.481	(P-3892)
218.482	(P-3675)	219.124	(P-3892)	219.482	(P-3892)
218.483	(P-3675)	219.125	(P-3892)	219.483	(P-3892)
218.484	(P-3675)	219.126	(P-3892)	219.484	(P-3892)
218.485	(P-3675)	219.127	(P-3892)	219.485	(P-3892)
218.486	(P-3892)			219.486	(P-3892)
218.487	(P-3892)			219.487	(P-3892)
218.488	(P-3892)			219.488	(P-3892)
218.489	(P-3892)			219.489	(P-3892)
218.490	(P-3892)			219.490	(P-3892)
218.491	(P-3892)			219.491	(P-3892)
218.492	(P-3892)			219.492	(P-3892)
218.493	(P-3892)			219.493	(P-3892)
218.494	(P-3892)			219.494	(P-3892)
218.495	(P-3892)			219.495	(P-3892)
218.496	(P-3892)			219.496	(P-3892)
218.497	(P-3892)			219.497	(P-3892)
218.498	(P-3892)			219.498	(P-3892)
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218.500	(P-3892)			219.500	(P-3892)
218.501	(P-3892)			219.501	(P-3892)
218.502	(P-3892)			219.502	(P-3892)
218.503	(P-3892)			219.503	(P-3892)
218.504	(P-3892)			219.504	(P-3892)
218.505	(P-3892)			219.505	(P-3892)
218.506	(P-3892)			219.506	(P-3892)
218.507	(P-3892)			219.507	(P-3892)
218.508	(P-3892)			219.508	(P-3892)
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218.515	(P-3892)			219.515	(P-3892)
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218.522	(P-3892)			219.522	(P-3892)
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218.529	(P-3892)			219.529	(P-3892)
218.530	(P-3892)			219.530	(P-3892)
218.531	(P-3892)			219.531	(P-3892)
218.532	(P-3892)			219.532	(P-3892)
218.533	(P-3892)			219.533	(P-3892)
218.534	(P-3892)			219.534	(P-3892)
218.535	(P-3892)			219.535	(P-3892)
218.536	(P-3892)			219.536	(P-3892)
218.537	(P-3892)			219.537	(P-3892)
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218.539	(P-3892)			219.539	(P-3892)
218.540	(P-3892)			219.540	(P-3892)
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218.542	(P-3892)			219.542	(P-3892)
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218.545	(P-3892)			219.545	(P-3892)
218.546	(P-3892)			219.546	(P-3892)
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218.554	(P-3892)			219.554	(P-3892)
218.555	(P-3892)			219.555	(P-3892)
218.556	(P-3892)			219.556	(P-3892)
218.557	(P-3892)			219.557	(P-3892)
218.558	(P-3892)			219.558	(P-3892)
218.559	(P-3892)			219.559	(P-3892)
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218.564	(P-3892)			219.564	(P-3892)
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218.566	(P-3892)			219.566	(P-3892)
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218.568	(P-3892)			219.568	(P-3892)
218.569	(P-3892)			219.569	(P-3892)
218.570	(P-3892)			219.570	(P-3892)
218.571	(P-3892)			219.571	(P-3892)
218.572	(P-3892)			219.572	(P-3892)
218.573	(P-3892)			219.573	(P-3892)
218.574	(P-3892)			219.574	(P-3892)
218.575	(P-3892)			219.575	(P-3892)
218.576	(P-3892)			219.576	(P-3892)
218.577	(P-3892)			219.577	(P-3892)
218.578	(P-3892)			219.578	(P-3892)
218.579	(P-3892)			219.579	(P-3892)
218.580	(P-3892)			219.580	(P-3892)
218.581	(P-3892)			219.581	(P-3892)
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218.585	(P-3892)			219.585	(P-3892)
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218.611	(P-3892)			219.611	(P-3892)

TITLE 35 (CONT'D)	
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219,988	n
219,989	n
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219,992	n
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220,073	n

[illegible]

TITLE 35 (CONT'D.)

(P-2414)

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724.936

(P-4234)

n

620.420

(P-2414)

n

724.950

(P-4234)

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620.430

(P-2414)

n

724.951

(P-4234)

n

620.440

(P-2414)

n

724.952

(P-4234)

n

620.450

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724.953

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620.460

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724.954

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620.505

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620.510

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620.601

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620.605

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724.958

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620.610

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(P-4234)

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(P-2414)

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724.963

(P-2376)

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703.183

(P-2414)

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724.964

(P-6059)

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703.208

(P-2414)

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724.965

(P-2376)

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703.210

(P-2414)

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725.101

(P-2376)

n

703.211

(P-2145)

am

725.113

(P-2376)

am

703.211

(P-2145)

am

725.115

(P-5980)

am

703.211

(P-2145)

am

725.173

(P-2066)

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720.111

(P-2145)

am

725.177

(P-47934)

am

721.104

(P-2145)

am

725.290

(P-2075)

am

721.106

(P-6001)

am

725.329

(P-2075)

am

721.110

(P-2075)

am

725.356

(P-13938/90; A-7950)

am

721.111

(P-2075)

am

725.381

(P-2075)

am

721.120

(P-2075)

am

725.412

(P-13925/90; A-7934)

am

721.121

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am

725.416

(P-2075)

am

721.122

(P-2075)

am

725.540

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am

721.123

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am

725.541

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am

721.124

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am

725.542

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am

721.131

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725.543

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am

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am

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117.Ap.A	(P-13905/90; A-180)	n	(P-14671/90; A-1511)
117.II.A	(P-5495)	n	(P-14671/90; A-1511)
117.II.B	(P-5495)	n	(P-14671/90; A-1511)
117.Ap.B	(P-5495)	n	(P-14671/90; A-1511)
117.II.A	(P-2989/90; A-4109)	n	(P-14671/90; A-1511)
117.II.B	(P-2989/90; A-4109)	n	(P-14671/90; A-1511)
117.II.C	(P-2989/90; A-4109)	n	(P-14671/90; A-1511)
117.II.D	(P-2989/90; A-4109)	n	(P-14671/90; A-1511)
117.II.E		n	(P-14671/90; A-1511)
130.11		am	(E-18100/90; O-21140/90; R-1171)
130.20	(P-3386)	am	(E-18100/90; O-21140/90; R-1171)
130.30	(P-14674/90; A-1555)	am	(E-18100/90; O-21140/90; R-1171)
130.40	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.60	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.70	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.80	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.90	(P-16718/90; A-6122)	r	(E-18100/90; O-21140/90; R-1171)
130.100	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.110	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.120	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.130	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.140	(P-16718/90; A-6122)	am	(E-18100/90; O-21140/90; R-1171)
130.150	(P-20138/90; A-8560)	am	(E-18100/90; O-21140/90; R-1171)
130.160	(P-14671/90; A-1511)	am	(E-18100/90; O-21140/90; R-1171)
130.170	(P-14671/90; A-1511)	am	(E-18100/90; O-21140/90; R-1171)

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SECTIONS AFFECTED INDEX			VOL. 15, ISSUE #23			SECTIONS AFFECTED INDEX		
TITLE 59 (CONT'D)			TITLE 62 (CONT'D)			TITLE 63 (CONT'D)		
130.180	am	(E-18100/90; O-21140/90; R-1171)	240.420	n	(P-20140/90; W-5110) (P-8448)	1817.116	am	(P-1314)
130.190	am	(E-18100/90; O-21140/90; R-1171)	240.430	n	(P-20140/90; W-5110) (P-8448)	1817.117	am	(P-1314)
130.200	am	(E-18100/90; O-21140/90; R-1171)	240.440	n	(P-20140/90; W-5110) (P-8448)	1817.150	am	(P-1314)
130.210	am	(E-18100/90; O-21140/90; R-1171)	240.450	n	(P-20140/90; W-5110) (P-8448)	1823.14	am	(P-1368)
130.220	am	(E-18100/90; O-21140/90; R-1171)	240.460	n	(P-20140/90; W-5110) (P-8448)	1823.15	am	(P-1368)
130.230	am	(E-18100/90; O-21140/90; R-1171)	240.470	n	(P-20140/90; W-5110) (P-8448)	2501.7	am	(P-141; A-6513)
130.240	am	(E-18100/90; O-21140/90; R-1171)	240.510	n	(P-8448)	2501.10	am	(P-141; A-6513)
130.250	am	(E-18100/90; O-21140/90; R-1171)	240.520	n	(P-8448)	2501.13	am	(P-141; A-6513)
130.260	am	(E-18100/90; O-21140/90; R-1171)	240.600	n	(P-8448)	2501.16	am	(P-141; A-6513)
130.270	am	(E-18100/90; O-21140/90; R-1171)	240.610	n	(P-8448)	2501.19	am	(P-141; A-6513)
130.280	am	(E-18100/90; O-21140/90; R-1171)	240.620	n	(P-8448)	2501.25	am	(P-141; A-6513)
130.290	am	(E-18100/90; O-21140/90; R-1171)	240.630	n	(P-8448)	TITLE 68		
130.300	am	(E-18100/90; O-21140/90; R-1171)	240.640	n	(P-8448)	1150.20	am	(P-2492)
130.310	am	(E-18100/90; O-21140/90; R-1171)	240.650	n	(P-8448)	1150.30	am	(P-2492)
130.320	am	(E-18100/90; O-21140/90; R-1171)	240.660	n	(P-8448)	1150.40	am	(P-2492)
130.330	am	(E-18100/90; O-21140/90; R-1171)	240.670	n	(P-8448)	1150.50	am	(P-2492)
130.340	am	(E-18100/90; O-21140/90; R-1171)	240.680	n	(P-8448)	1150.60	am	(P-2492)
130.350	am	(E-18100/90; O-21140/90; R-1171)	240.690	n	(P-8448)	1150.65	am	(P-2492)
130.360	am	(E-18100/90; O-21140/90; R-1171)	240.700	n	(P-8448)	1150.70	am	(P-2492)
130.370	am	(E-18100/90; O-21140/90; R-1171)	240.710	n	(P-8448)	1150.80	am	(P-2492)
130.380	am	(E-18100/90; O-21140/90; R-1171)	240.720	n	(P-8448)	1150.90	am	(P-2492)
130.390	am	(E-18100/90; O-21140/90; R-1171)	240.730	n	(P-8448)	1150.100	am	(P-2492)
130.400	am	(E-18100/90; O-21140/90; R-1171)	240.740	n	(P-8448)	1150.110	am	(P-2492)
130.410	am	(E-18100/90; O-21140/90; R-1171)	240.750	n	(P-8448)	1150.11A	am	(P-2492)
130.420	am	(E-18100/90; O-21140/90; R-1171)	240.760	n	(P-8448)	1240.16	am	(P-2456/90; A-3051)
			240.770	n	(P-8448)	1240.50	am	(P-2456/90; A-3051)
			240.780	n	(P-8448)	1250.110	am	(P-1691; A-8238)
			240.790	n	(P-8448)	1250.120	am	(P-1691; A-8238)
			240.800	n	(P-8448)	1250.130	am	(P-1691; A-8238)
			240.810	n	(P-8448)	1250.140	am	(P-1691; A-8238)
			240.820	n	(P-8448)	1250.150	am	(P-1691; A-8238)
			240.830	n	(P-8448)	1250.160	am	(P-1691; A-8238)
			240.840	n	(P-8448)	1250.170	am	(P-1691; A-8238)
			240.850	n	(P-8448)	1250.180	am	(P-1691; A-8238)
			240.860	n	(P-8448)	1250.190	am	(P-1691; A-8238)
			240.870	n	(P-8448)	1250.200	am	(P-1691; A-8238)
			240.880	n	(P-8448)	1250.205	am	(P-1691; A-8238)
			240.890	n	(P-8448)	1250.210	am	(P-1691; A-8238)
			240.900	n	(P-8448)	1250.220	am	(P-1691; A-8238)
			240.910	n	(P-8448)	1270.5	am	(P-7378/90; A-5258)
			240.920	n	(P-8448)	1275.10	am	(P-7378/90; A-5258)
			240.930	n	(P-8448)	1275.13	am	(P-3218) (E-3324)
			240.940	n	(P-8448)	1275.15	am	(P-7378/90; A-5258)
			240.950	n	(P-8448)	1275.20	am	(P-7378/90; A-5258)
			240.960	n	(P-8448)	1275.25	am	(P-3218) (E-3324)
			240.970	n	(P-8448)	1275.30	am	(P-7378/90; A-5258)
			240.980	n	(P-8448)	1275.35	am	(P-3218) (E-3324)
			240.990	n	(P-8448)	1275.40	am	(P-7378/90; A-5258)
			240.995	n	(P-8448)	1275.45	am	(P-3218)
			240.999	n	(P-8448)	1275.50	am	(P-7378/90; A-5258)
			240.999	n	(P-8448)	1275.60	am	(P-3218) (E-3324)
			240.999	n	(P-8448)	1275.65	am	(P-7378/90; A-5258)
			240.999	n	(P-8448)	1275.70	am	(P-3218)
			240.999	n	(P-8448)	1275.75	am	(P-7378/90; A-5258)
			240.999	n	(P-8448)	1275.80	am	(P-3218)
			240.999	n	(P-8448)	1275.85	am	(P-7378/90; A-5258)
			240.999	n	(P-8448)	1275.90	am	(P-3218)
			240.999	n	(P-8448)	1275.95	am	(P-7378/90; A-5258)
			240.999	n	(P-8448)	1285.20	am	(P-6888)
			240.999	n	(P-8448)	1285.40	am	(P-6888)

TITLE 68 (CONT'D)

TITLE 68 (CONT'D)		TITLE 71	
1285.50	am	(P-6888)	205.810
1285.60	am	(P-6888)	205.820
1285.70	am	(P-6888)	205.830
1285.80	am	(P-6888)	205.840
1285.90	am	(P-6888) (E-7785)	205.850
1285.95	am	(P-6888)	205.860
1285.120	am	(P-6888)	205.870
1300.30	am	(P-2519; A-8573) (E-2855)	205.880
1300.30	am	(P-17432190; A-5254)	205.890
1340.40	am	(P-734690; A-247)	205.900
1380.210	am	(P-734690; A-247)	205.910
1380.220	am	(P-734690; A-247)	205.920
1380.230	am	(P-734690; A-247)	205.930
1380.240	am	(P-734690; A-247)	205.940
1380.250	am	(P-734690; A-247)	205.950
1380.260	am	(P-734690; A-247)	205.960
1380.270	am	(P-734690; A-247)	205.970
1380.280	am	(P-734690; A-247)	205.980
1380.285	am	(P-734690; A-247)	205.990
1380.290	am	(P-734690; A-247)	206.000
1380.300	am	(P-734690; A-247)	206.010
1380.310	am	(P-734690; A-247)	206.020
1380.320	am	(P-734690; A-247)	206.030
1380.320	am	(P-734690; A-247)	206.040
1380.320	am	(P-734690; A-247)	206.050
1380.320	am	(P-734690; A-247)	206.060
1380.320	am	(P-734690; A-247)	206.070
1380.320	am	(P-734690; A-247)	206.080
1380.320	am	(P-734690; A-247)	206.090
1380.320	am	(P-734690; A-247)	206.100
1380.320	am	(P-734690; A-247)	206.110
1380.320	am	(P-734690; A-247)	206.120
1380.320	am	(P-734690; A-247)	206.130
1380.320	am	(P-734690; A-247)	206.140
1380.320	am	(P-734690; A-247)	206.150
1380.320	am	(P-734690; A-247)	206.160
1380.320	am	(P-734690; A-247)	206.170
1380.320	am	(P-734690; A-247)	206.180
1380.320	am	(P-734690; A-247)	206.190
1380.320	am	(P-734690; A-247)	206.200
1380.320	am	(P-734690; A-247)	206.210
1380.320	am	(P-734690; A-247)	206.220
1380.320	am	(P-734690; A-247)	206.230
1380.320	am	(P-734690; A-247)	206.240
1380.320	am	(P-734690; A-247)	206.250
1380.320	am	(P-734690; A-247)	206.260
1380.320	am	(P-734690; A-247)	206.270
1380.320	am	(P-734690; A-247)	206.280
1380.320	am	(P-734690; A-247)	206.290
1380.320	am	(P-734690; A-247)	206.300
1380.320	am	(P-734690; A-247)	206.310
1380.320	am	(P-734690; A-247)	206.320
1380.320	am	(P-734690; A-247)	206.330
1380.320	am	(P-734690; A-247)	206.340
1380.320	am	(P-734690; A-247)	206.350
1380.320	am	(P-734690; A-247)	206.360
1380.320	am	(P-734690; A-247)	206.370
1380.320	am	(P-734690; A-247)	206.380
1380.320	am	(P-734690; A-247)	206.390
1380.320	am	(P-734690; A-247)	206.400
1380.320	am	(P-734690; A-247)	206.410
1380.320	am	(P-734690; A-247)	206.420
1380.320	am	(P-734690; A-247)	206.430
1380.320	am	(P-734690; A-247)	206.440
1380.320	am	(P-734690; A-247)	206.450
1380.320	am	(P-734690; A-247)	206.460
1380.320	am	(P-734690; A-247)	206.470
1380.320	am	(P-734690; A-247)	206.480
1380.320	am	(P-734690; A-247)	206.490
1380.320	am	(P-734690; A-247)	206.500
1380.320	am	(P-734690; A-247)	206.510
1380.320	am	(P-734690; A-247)	206.520
1380.320	am	(P-734690; A-247)	206.530
1380.320	am	(P-734690; A-247)	206.540
1380.320	am	(P-734690; A-247)	206.550
1380.320	am	(P-734690; A-247)	206.560
1380.320	am	(P-734690; A-247)	206.570
1380.320	am	(P-734690; A-247)	206.580
1380.320	am	(P-734690; A-247)	206.590
1380.320	am	(P-734690; A-247)	206.600
1380.320	am	(P-734690; A-247)	206.610
1380.320	am	(P-734690; A-247)	206.620
1380.320	am	(P-734690; A-247)	206.630
1380.320	am	(P-734690; A-247)	206.640
1380.320	am	(P-734690; A-247)	206.650
1380.320	am	(P-734690; A-247)	206.660
1380.320	am	(P-734690; A-247)	206.670
1380.320	am	(P-734690; A-247)	206.680
1380.320	am	(P-734690; A-247)	206.690
1380.320	am	(P-734690; A-247)	206.700
1380.320	am	(P-734690; A-247)	206.710
1380.320	am	(P-734690; A-247)	206.720
1380.320	am	(P-734690; A-247)	206.730
1380.320	am	(P-734690; A-247)	206.740
1380.320	am	(P-734690; A-247)	206.750
1380.320	am	(P-734690; A-247)	206.760
1380.320	am	(P-734690; A-247)	206.770
1380.320	am	(P-734690; A-247)	206.780
1380.320	am	(P-734690; A-247)	206.790
1380.320	am	(P-734690; A-247)	206.800
1380.320	am	(P-734690; A-247)	206.810
1380.320	am	(P-734690; A-247)	206.820
1380.320	am	(P-734690; A-247)	206.830
1380.320	am	(P-734690; A-247)	206.840
1380.320	am	(P-734690; A-247)	206.850
1380.320	am	(P-734690; A-247)	206.860
1380.320	am	(P-734690; A-247)	206.870
1380.320	am	(P-734690; A-247)	206.880
1380.320	am	(P-734690; A-247)	206.890
1380.320	am	(P-734690; A-247)	206.900
1380.320	am	(P-734690; A-247)	206.910
1380.320	am	(P-734690; A-247)	206.920
1380.320	am	(P-734690; A-247)	206.930
1380.320	am	(P-734690; A-247)	206.940
1380.320	am	(P-734690; A-247)	206.950
1380.320	am	(P-734690; A-247)	206.960
1380.320	am	(P-734690; A-247)	206.970
1380.320	am	(P-734690; A-247)	206.980
1380.320	am	(P-734690; A-247)	206.990
1380.320	am	(P-734690; A-247)	207.000
1380.320	am	(P-734690; A-247)	207.010
1380.320	am	(P-734690; A-247)	207.020
1380.320	am	(P-734690; A-247)	207.030
1380.320	am	(P-734690; A-247)	207.040
1380.320	am	(P-734690; A-247)	207.050
1380.320	am	(P-734690; A-247)	207.060
1380.320	am	(P-734690; A-247)	207.070
1380.320	am	(P-734690; A-247)	207.080
1380.320	am	(P-734690; A-247)	207.090
1380.320	am	(P-734690; A-247)	207.100
1380.320	am	(P-734690; A-247)	207.110
1380.320	am	(P-734690; A-247)	207.120
1380.320	am	(P-734690; A-247)	207.130
1380.320	am	(P-734690; A-247)	207.140
1380.320	am	(P-734690; A-247)	207.150
1380.320	am	(P-734690; A-247)	207.160
1380.320	am	(P-734690; A-247)	207.170
1380.320	am	(P-734690; A-247)	207.180
1380.320	am	(P-734690; A-247)	207.190
1380.320	am	(P-734690; A-247)	207.200
1380.320	am	(P-734690; A-247)	207.210
1380.320	am	(P-734690; A-247)	207.220
1380.320	am	(P-734690; A-247)	207.230
1380.320	am	(P-734690; A-247)	207.240
1380.320	am	(P-734690; A-247)	207.250
1380.320	am	(P-734690; A-247)	207.260
1380.320	am	(P-734690; A-247)	207.270
1380.320	am	(P-734690; A-247)	207.280
1380.320	am	(P-734690; A-247)	207.290
1380.320	am	(P-734690; A-247)	207.300
1380.320	am	(P-734690; A-247)	207.310
1380.320	am	(P-734690; A-247)	207.320
1380.320	am	(P-734690; A-247)	207.330
1380.320	am	(P-734690; A-247)	207.340
1380.320	am	(P-734690; A-247)	207.350
1380.320	am	(P-734690; A-247)	207.360
1380.320	am	(P-734690; A-247)	207.370
1380.320	am	(P-734690; A-247)	207.380
1380.320	am	(P-734690; A-247)	207.390
1380.320	am	(P-734690; A-247)	207.400
1380.320	am	(P-734690; A-247)	207.410
1380.320	am	(P-734690; A-247)	207.420
1380.320	am	(P-734690; A-247)	207.430
1380.320	am	(P-734690; A-247)	207.440
1380.320	am	(P-734690; A-247)	207.450
1380.320	am	(P-734690; A-247)	207.460
1380.320	am	(P-734690; A-247)	207.470
1380.320	am	(P-734690; A-247)	207.480
1380.320	am	(P-734690; A-247)	207.490
1380.320	am	(P-734690; A-247)	207.500
1380.320	am	(P-734690; A-247)	207.510
1380.320	am	(P-734690; A-247)	207.520
1380.320	am	(P-734690; A-247)	207.530
1380.320	am	(P-734690; A-247)	207.540
1380.320	am	(P-734690; A-247)	207.550
1380.320	am	(P-734690; A-247)	207.560
1380.320	am	(P-734690; A-247)	207.570
1380.320	am	(P-734690; A-247)	207.580
1380.320	am	(P-734690; A-247)	207.590
1380.320	am	(P-734690; A-247)	207.600
1380.320	am	(P-734690; A-247)	207.610
1380.320	am	(P-734690; A-247)	207.620
1380.320	am	(P-734690; A-247)	207.630
1380.320	am	(P-734690; A-247)	207.640
1380.320	am	(P-734690; A-247)	207.650
1380.320	am	(P-734690; A-247)	207.660
1380.320	am	(P-734690; A-247)	207.670
1380.320	am	(P-734690; A-247)	207.680
1380.320	am	(P-734690; A-247)	207.690
1380.320	am	(P-734690; A-247)	207.700
1380.320	am	(P-734690; A-247)	207.710
1380.320	am	(P-734690; A-247)	207.720
1380.320	am	(P-734690; A-247)	207.730
1380.320	am	(P-734690; A-247)	207.740
1380.320	am	(P-734690; A-247)	207.750
1380.320	am	(P-734690; A-247)	207.760
1380.320	am	(P-734690; A-247)	207.770
1380.320	am	(P-734690; A-247)	207.780
1380.320	am	(P-734690; A-247)	207.790
1380.320	am	(P-734690; A-247)	207.800
1380.320	am	(P-734690; A-247)	207.810
1380.320	am	(P-734690; A-247)	207.820
1380.320	am	(P-734690; A-247)	207.830
1380.320	am	(P-734690; A-247)	207.840
1380.320	am	(P-734690; A-247)	207.850
1380.320	am	(P-734690; A-247)	207.860
1380.320	am	(P-734690; A-247)	207.870
1380.320	am	(P-734690; A-247)	207.880
1380.320	am	(P-734690; A-247)	207.890
1380.320	am	(P-734690; A-247)	207.900
1380.320	am	(P-734690; A-247)	207.910
1380.320	am	(P-734690; A-247)	207.920
1380.320	am	(P-734690; A-247)	207.930
1380.320	am	(P-734690; A-247)	207.940
1380.320	am	(P-734690; A-247)	207.950
1380.320	am	(P-734690; A-247)	207.960
1380.320	am	(P-734690; A-247)	207.970
1380.320	am	(P-734690; A-247)	207.980
1380.320	am	(P-734690; A-247)	207.990
1380.320	am	(P-734690; A-247)	208.000
1380.320	am	(P-734690; A-247)	208.010
1380.320	am	(P-734690; A-247)	208.020
1380.320	am	(P-734690; A-247)	208.030
1380.320	am	(P-734690; A-247)	208.040
1380.320	am	(P-734690; A-247)	208.050
1380.320	am	(P-734690; A-247)	208.060
1380.320	am	(P-734690; A-247)	208.070
1380.320	am	(P-734690; A-247)	208.080
1380.320	am	(P-734690; A-247)	208.090
1380.320	am	(P-734690;	

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TITLE 77 (CONT'D)		590.120
350.3710	am	(P-9833/90; A-466)
350.3720	am	(P-9833/90; A-466)
350.3730	am	(P-9833/90; A-466)
350.3740	am	(P-9833/90; A-466)
350.3750	am	(P-9833/90; A-466)
350.3770	am	(P-9833/90; A-466)
350.3780	am	(P-9833/90; A-466)
350.3810	am	(P-9833/90; A-466)
350.3880	am	(P-9833/90; A-466)
350.3900	am	(P-9833/90; A-466)
350.3940	am	(P-9833/90; A-466)
350.4010	am	(P-9833/90; A-466)
350.Tb. D	am	(P-9833/90; A-466)
350.Tb. E	am	(P-9833/90; A-466)
390.120	am	(P-4309)
390.330	am	(P-9883/90; A-1878) (P-4309)
390.1030	am	(P-9883/90; A-1878)
390.3220	am	(P-9883/90; A-1878)
390.3240	am	(P-9883/90; A-1878)
390.3260	am	(P-9883/90; A-1878)
450.5	am	(P-6440)
450.20	am	(P-6440)
450.30	am	(P-6440)
450.35	am	(P-6440)
450.60	am	(P-6440)
450.65	am	(P-6440)
450.Ap.C	am	(P-6440)
500.20	am	(P-3422) (E-3593)
500.70	n	(P-3422) (E-3593)
510.10	am	(P-418; A-7718)
510.60	am	(P-418; A-7718)
510.110	am	(P-418; A-7718) (E-612)
510.120	am	(P-418; A-7718)
510.130	am	(P-418; A-7718) (E-612)
535.10	am	(P-8120)
535.20	am	(P-8120)
535.60	am	(P-16237/90; A-5722)
535.150	am	(P-16237/90; A-5722)
535.200	am	(P-16237/90; A-5722)
535.210	am	(P-8120)
535.215	n	(P-16237/90; A-5722)
535.217	n	(P-8120)
535.1000	n	(P-8120)
535.Ap.A	n	(P-8120)
540.65	n	(P-10665/90; A-1084)
540.90	am	(P-10665/90; A-1084)
540.100	am	(P-10665/90; A-1084)
540.200	n	(P-10665/90; A-1084)
550.100	n	(P-10656/90; A-1068)
550.110	n	(P-10656/90; A-1068)
550.120	n	(P-10656/90; A-1068)
550.130	n	(P-10656/90; A-1068)
590.10	r	(P-8493/90; A-1830)
590.10	n	(P-8503/90; A-1833)
590.20	r	(P-8493/90; A-1833)
590.20	n	(P-8503/90; A-1833)
590.30	r	(P-8493/90; A-1833)
590.30	n	(P-8503/90; A-1833)
590.40	r	(P-8493/90; A-1833)
590.40	n	(P-8503/90; A-1833)
590.50	r	(P-8493/90; A-1833)
590.100	n	(P-8503/90; A-1833)
590.110	r	(P-8503/90; A-1833)
590.110	n	(P-8503/90; A-1833)
590.120	n	(P-8503/90; A-1833)
590.130	n	(P-8503/90; A-1833)
590.140	n	(P-8503/90; A-1833)
590.150	n	(P-8503/90; A-1833)
590.160	n	(P-8503/90; A-1833)
590.170	n	(P-8503/90; A-1833)
590.180	n	(P-8503/90; A-1833)
590.190	n	(P-8503/90; A-1833)
590.200	n	(P-8503/90; A-1833)
590.210	n	(P-8503/90; A-1833)
590.220	n	(P-8503/90; A-1833)
590.230	n	(P-8503/90; A-1833)
590.240	n	(P-8503/90; A-1833)
590.250	n	(P-8503/90; A-1833)
590.260	n	(P-8503/90; A-1833)
590.270	n	(P-8503/90; A-1833)
590.280	n	(P-8503/90; A-1833)
590.290	n	(P-8503/90; A-1833)
590.300	n	(P-8503/90; A-1833)
590.310	n	(P-8503/90; A-1833)
590.320	n	(P-8503/90; A-1833)
590.330	n	(P-8503/90; A-1833)
590.340	n	(P-8503/

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TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
790.2820	ann	(P-3417; E-3537)	790.9500	ann	(P-3417; E-3537)	2058.348	ann	(P-6457/90; A-2597) (P-8337)	310.330	ann	(P-6457/90; A-2597) (P-8337)	2058.348	ann	(P-6457/90; A-2597) (P-8337)
790.2902	ann	(P-3417; E-3537)	790.9580	ann	(P-3417; E-3537)	2058.351	ann	(P-8337)	310.400	ann	(P-8337)	2058.351	ann	(P-8337)
790.3020	ann	(P-3417; E-3537)	895.10	ann	(P-5005)	2058.354	ann	(P-5005)	1540.330	ann	(P-18712/90; A-7379)	2058.354	ann	(P-18712/90; A-7379)
790.3027	ann	(P-18457/90; A-6566)	895.20	ann	(P-5005)	2058.357	ann	(P-5005)				2058.357	ann	(P-5005)
790.3060	ann	(P-3417; E-3537)	895.30	ann	(P-5005)	2058.360	ann	(P-5005)				2058.360	ann	(P-5005)
790.3140	ann	(P-3417; E-3537)	895.50	ann	(P-5005)	2058.363	ann	(P-5005)				2058.363	ann	(P-5005)
790.3220	ann	(P-18457/90; A-6566)	920.10	ann	(P-6460)	2058.366	ann	(P-6460)				2058.366	ann	(P-6460)
790.3308	n	(P-3417; E-3537)	920.15	ann	(P-6460)	2058.369	ann	(P-6460)				2058.369	ann	(P-6460)
790.3315	ann	(P-3417; E-3537)	920.20	ann	(P-6460)	2058.372	ann	(P-6460)				2058.372	ann	(P-6460)
790.3335	ann	(P-18457/90; A-6566)	920.30	ann	(P-6460)	2058.374	ann	(P-6460)				2058.374	ann	(P-6460)
790.3350	ann	(P-18457/90; A-6566)	920.40	ann	(P-6460)	2058.376	ann	(P-6460)				2058.376	ann	(P-6460)
790.3488	n	(P-3417; E-3537)	920.50	ann	(P-6460)	2058.378	ann	(P-6460)				2058.378	ann	(P-6460)
790.3540	ann	(P-3417; E-3537)	920.60	ann	(P-6460)	2058.380	ann	(P-6460)				2058.380	ann	(P-6460)
790.3914	ann	(P-18457/90; A-6566)	920.70	ann	(P-6460)	2058.382	ann	(P-6460)				2058.382	ann	(P-6460)
790.3940	ann	(P-3417; E-3537)	920.80	ann	(P-6460)	2058.384	ann	(P-6460)				2058.384	ann	(P-6460)
790.4060	ann	(P-3417; E-3537)	920.90	ann	(P-6460)	2058.386	ann	(P-6460)				2058.386	ann	(P-6460)
790.4384	ann	(P-18457/90; A-6566)	920.100	ann	(P-6460)	2058.388	ann	(P-6460)				2058.388	ann	(P-6460)
790.4420	ann	(P-3417; E-3537)	920.110	ann	(P-6460)	2058.390	ann	(P-6460)				2058.390	ann	(P-6460)
790.4495	n	(P-3417; E-3537)	920.120	ann	(P-6460)	2058.392	ann	(P-6460)				2058.392	ann	(P-6460)
790.4580	ann	(P-3417; E-3537)	920.130	ann	(P-6460)	2058.394	ann	(P-6460)				2058.394	ann	(P-6460)
790.4660	ann	(P-3417; E-3537)	920.170	ann	(P-6460)	2058.396	ann	(P-6460)				2058.396	ann	(P-6460)
790.4720	ann	(P-18457/90; A-6566)	920.180	n	(P-6460)	2058.400	ann	(P-6460)				2058.400	ann	(P-6460)
790.4725	ann	(P-18457/90; A-6566)	920.180	ann	(P-6460)	2058.405	ann	(P-6460)				2058.405	ann	(P-6460)
790.4728	ann	(P-3417; E-3537)	920.180	ann	(P-6460)	2058.410	ann	(P-6460)				2058.410	ann	(P-6460)
790.4740	ann	(P-3417; E-3537)	920.180	ann	(P-6460)	2058.415	ann	(P-6460)				2058.415	ann	(P-6460)
790.5030	n	(P-18457/90; A-6566)	920.180	ann	(P-6460)	2058.420	ann	(P-6460)				2058.420	ann	(P-6460)
790.5220	ann	(P-3417; E-3537)	925.15	ann	(P-6498)	2058.425	ann	(P-6498)				2058.425	ann	(P-6498)
790.5300	ann	(P-18457/90; A-6566)	925.20	ann	(P-6498)	2058.430	ann	(P-6498)				2058.430	ann	(P-6498)
790.5312	ann	(P-3417; E-3537)	925.30	ann	(P-6498)	2058.435	ann	(P-6498)				2058.435	ann	(P-6498)
790.5320	ann	(P-18457/90; A-6566)	925.40	ann	(P-6498)	2058.440	ann	(P-6498)				2058.440	ann	(P-6498)
790.5420	ann	(P-3417; E-3537)	925.50	ann	(P-6498)	2058.445	ann	(P-6498)				2058.445	ann	(P-6498)
790.5483	ann	(P-3417; E-3537)	1130.420	ann	(P-6498)	2058.450	ann	(P-6498)				2058.450	ann	(P-6498)
790.5660	ann	(P-3417; E-3537)	1130.420	ann	(P-6498)	2058.455	ann	(P-6498)				2058.455	ann	(P-6498)
790.5820	ann	(P-3417; E-3537)	1130.420	ann	(P-6498)	2058.460	ann	(P-6498)				2058.460	ann	(P-6498)
790.5830	ann	(P-3417; E-3537)	1130.420	ann	(P-6498)	2058.465	ann	(P-6498)				2058.465	ann	(P-6498)
790.5900	ann	(P-3417; E-3537)	2058.105	ann	(P-6457/90; A-2597) (P-8337)	2058.470	ann	(P-6457/90; A-2597) (P-8337)				2058.470	ann	(P-6457/90; A-2597) (P-8337)
790.5924	ann	(P-3417; E-3537)	2058.110	ann	(P-6457/90; A-2597) (P-8337)	2058.475	ann	(P-6457/90; A-2597) (P-8337)				2058.475	ann	(P-6457/90; A-2597) (P-8337)
790.6300	ann	(P-3417; E-3537)	2058.115	ann	(P-6457/90; A-2597)	2058.480	ann	(P-6457/90; A-2597)				2058.480	ann	(P-6457/90; A-2597)
790.6430	n	(P-18457/90; A-6566)	2058.120	ann	(P-6457/90; A-2597)	2058.485	ann	(P-6457/90; A-2597)				2058.485	ann	(P-6457/90; A-2597)
790.6505	n	(P-3417; E-3537)	2058.125	ann	(P-8337)	2058.490	ann	(P-8337)				2058.490	ann	(P-8337)
790.6875	ann	(P-3417; E-3537)	2058.130	ann	(P-8337)	2058.495	ann	(P-8337)				2058.495	ann	(P-8337)
790.6960	ann	(P-3417; E-3537)	2058.135	ann	(P-8337)	2058.500	ann	(P-8337)				2058.500	ann	(P-8337)
790.7120	ann	(P-3417; E-3537)	2058.200	ann	(P-8337)	2058.505	ann	(P-8337)				2058.505	ann	(P-8337)
790.7160	ann	(P-3417; E-3537)	2058.205	ann	(P-8337)	2058.510	ann	(P-8337)				2058.510	ann	(P-8337)
790.7221	n	(P-18457/90; A-6566)	2058.220	ann	(P-8337)	2058.515	ann	(P-8337)				2058.515	ann	(P-8337)
790.7245	n	(P-3417; E-3537)	2058.230	ann	(P-6457/90; A-2597) (P-8337)	2058.520	ann	(P-6457/90; A-2597) (P-8337)				2058.520	ann	(P-6457/90; A-2597) (P-8337)
790.7280	ann	(P-3417; E-3537)	2058.235	ann	(P-6457/90; A-2597)	2058.525	ann	(P-6457/90; A-2597)				2058.525	ann	(P-6457/90; A-2597)
790.7288	ann	(P-18457/90; A-6566)	2058.303	ann	(P-8337)	2058.530	ann	(P-8337)				2058.530	ann	(P-8337)
790.7278	ann	(P-3417; E-3537)	2058.303	ann	(P-8337)	2058.535	ann	(P-8337)				2058.535	ann	(P-8337)
790.7280	ann	(P-3417; E-3537)	2058.306	ann	(P-6457/90; A-2597) (P-8337)	2058.540	ann	(P-6457/90; A-2597) (P-8337)				2058.540	ann	(P-6457/90; A-2597) (P-8337)
790.7740	ann	(P-3417; E-3537)	2058.309	ann	(P-6457/90; A-2597) (P-8337)	2058.545	ann	(P-6457/90; A-2597) (P-8337)				2058.545	ann	(P-6457/90; A-2597) (P-8337)
790.7820	ann	(P-3417; E-3537)	2058.312	ann	(P-6457/90; A-2597) (P-8337)	2058.550	ann	(P-6457/90; A-2597) (P-8337)				2058.550	ann	(P-6457/90; A-2597) (P-8337)
790.8015	ann	(P-3417; E-3537)	2058.315	ann	(P-6457/90; A-2597) (P-8337)	2058.555	ann	(P-6457/90; A-2597) (P-8337)				2058.555	ann	(P-6457/90; A-2597) (P-8337)
790.8020	ann	(P-18457/90; A-6566)	2058.318	ann	(P-6457/90; A-2597) (P-8337)	2058.560	ann	(P-6457/90; A-2597) (P-8337)				2058.560	ann	(P-6457/90; A-2597) (P-8337)
790.8290	ann	(P-3417; E-3537)	2058.319	ann	(P-6457/90; A-2597) (P-8337)	2058.565	ann	(P-6457/90; A-2597) (P-8337)				2058.565	ann	(P-6457/90; A-2597) (P-8337)
790.8500	ann	(P-3417; E-3537)	2058.321	ann	(P-8337)	2058.570	ann	(P-8337)				2058.570	ann	(P-8337)
790.8580	ann	(P-3417; E-3537)	2058.324	ann	(P-6457/90; A-2597) (P-8337)	2058.575	ann	(P-6457/90; A-2597) (P-8337)				2058.575	ann	(P-6457/90; A-2597) (P-8337)
790.8620	ann	(P-3417; E-3537)	2058.327	ann	(P-6457/90; A-2597) (P-8337)	2058.580	ann	(P-6457/90; A-2597) (P-8337)				2058.580	ann	(P-6457/90; A-2597) (P-8337)
790.9048	ann	(P-18457/90; A-6566)	2058.330	ann	(P-6457/90; A-2597) (P-8337)	2058.585	ann	(P-6457/90; A-2597) (P-8337)				2058.585	ann	(P-6457/90; A-2597) (P-8337)
790.9056	ann	(P-3417; E-3537)	2058.333	ann	(P-6457/90; A-2597) (P-8337)	2058.590	ann	(P-6457/90; A-2597) (P-8337)				2058.590	ann	(P-6457/90; A-2597) (P-8337)
790.9220	ann	(P-3417; E-3537)	2058.336	ann	(P-6457/90; A-2597) (P-8337)	2058.595	ann	(P-6457/90; A-2597) (P-8337)				2058.595	ann	(P-6457/90; A-2597) (P-8337)
790.9420	ann	(P-3417; E-3537)	2058.342	ann	(P-6457/90; A-2597) (P-8337)	2058.600	ann	(P-6457/90; A-2597) (P-8337)				2058.600	ann	(P-6457/90; A-2597) (P-8337)
790.9460	ann	(P-3417; E-3537)	2058.343	ann	(P-8337)	2058.605	ann	(P-8337)				2058.605	ann	(P-8337)

[illegible]

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130.2075	am	(P-20194/90; A-6621)	280.125
130.2080	am	(P-20194/90; A-6621)	280.130
130.2085	am	(P-20194/90; A-6621)	290.101
130.2090	am	(P-20194/90; A-6621)	290.105
130.2105	am	(P-20194/90; A-6621)	290.110
130.2115	am	(P-20194/90; A-6621)	290.115
130.2140	am	(P-20194/90; A-6621)	290.120
130.2145	am	(P-20194/90; A-6621; O-6792)	320.101
130.2150	am	(P-20194/90; A-6621)	320.105
130.2165	am	(P-20194/90; A-6621)	320.110
130.II. A	n	(P-20194/90; A-6621)	320.115
140.101	am	(P-19779/90; A-5834)	320.120
140.301	am	(P-17916/90; A-5834)	330.101
150.101	am	(P-19804/90; A-5861)	330.105
150.105	am	(P-19804/90; A-5861)	330.110
150.135	am	(P-19804/90; A-5861)	330.115
150.201	am	(P-19804/90; A-5861)	330.120
150.405	am	(P-19804/90; A-5861)	340.101
150.710	am	(P-19804/90; A-5861)	340.105
150.725	am	(P-19804/90; A-5861)	340.110
150.905	am	(P-19804/90; A-5861)	370.101
150.1101	am	(P-19804/90; A-5861)	370.105
150.1310	am	(P-19804/90; A-5861)	370.110
150.1401	am	(P-19804/90; A-5861)	370.115
150.1405	am	(P-19804/90; A-5861)	370.120
160.101	am	(P-19788/90; A-5845)	380.101
160.105	am	(P-19788/90; A-5845)	380.110
160.115	am	(P-19788/90; A-5845)	380.115
160.135	am	(P-19788/90; A-5845)	380.120
160.150	am	(P-19788/90; A-5845)	390.101
160.155	am	(P-19788/90; A-5845)	390.105
200.115	am	(P-14754/90; A-3518)	390.110
220.101	am	(P-19706/90; A-5783)	420.50
220.105	am	(P-19706/90; A-5783)	420.90
220.110	am	(P-19706/90; A-5783)	430.100
220.115	am	(P-19706/90; A-5783)	430.110
220.120	am	(P-19706/90; A-5783)	430.120
220.125	am	(P-19706/90; A-5783)	430.130
220.130	am	(P-19706/90; A-5783)	430.160
230.101	am	(P-19717/90; A-5796)	430.180
230.105	am	(P-19717/90; A-5796)	430.190
230.110	am	(P-19717/90; A-5796)	430.200
240.101	r	(P-19725/90; A-5781)	432.100
240.105	r	(P-19725/90; A-5781)	432.110
240.110	r	(P-19725/90; A-5781)	432.120
240.115	am	(P-19725/90; A-5781)	432.160
240.120	r	(P-19725/90; A-5781)	433.100
240.125	am	(P-15251/90; A-3507)	433.160
270.101	am	(P-15251/90; A-3507)	433.170
270.105	am	(P-15251/90; A-3507)	433.180
270.110	am	(P-15251/90; A-3507)	433.190
270.115	am	(P-15251/90; A-3507)	433.200
270.120	am	(P-15251/90; A-3507)	433.210
270.125	am	(P-15251/90; A-3507)	433.220
270.130	am	(P-15251/90; A-3507)	440.90
280.101	am	(P-17908/90; A-6290)	450.10
280.105	am	(P-17908/90; A-6290)	500.102
280.110	am	(P-17908/90; A-6290)	500.103
280.115	am	(P-17908/90; A-6290)	500.105
280.120	am	(P-17908/90; A-6290)	500.115
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500.150	r	(P-17897/90; A-6305)	111.101	am	(P-17762/90; A-1029)
500.155	am	(P-17897/90; A-6305)	112.9	am	(P-371; A-5684)
500.175	am	(P-17897/90; A-6305)	112.64	am	(P-19568/90; A-5275)
500.195	am	(P-17897/90; RC-5122; A-6305)	112.70	am	(P-2521)
			112.74	am	(P-2521)
			112.78	am	(P-2521)
			112.79	am	(P-2521)
			112.80	am	(P-2521) (E-2862)
			112.82	am	(P-5502)
			112.110	am	(P-5502)
			112.151	am	(P-157; A-5275) (E-338)
			112.340	n	(P-384; A-5698)
			113.9	am	(P-6913)
			113.125	am	(P-19581/90; A-5291)
			113.141	am	(P-804; A-7104) (E-1111; O-5125) (P-7444)
			113.155	am	(P-15701/90; A-277)
			113.251	am	(P-1715; A-7104)
			113.253	am	(P-1715; A-7104)
			113.260	am	(P-5517)
			113.261	am	(P-15701/90; A-277)
			113.303	am	(P-394; A-5710)
			114.9	am	(P-5539)
			114.210	am	(P-5539)
			114.251	am	(P-15712/90; A-288)
			114.402	am	(P-6435)
			117.90	n	(P-5551)
			120.11	n	(P-6089)
			120.12	n	(P-5551)
			120.31	am	(P-5551)
			120.60	am	(P-5551)
			120.61	am	(P-159; A-5302) (E-348)
			120.64	am	(P-5551)
			120.65	n	(P-2908)
			120.72	am	(P-159; A-5302) (E-348)
			120.74	am	(P-159; A-5302) (E-348)
			120.208	am	(P-5551)
			120.235	am	(P-5551)
			120.281	am	(P-5551)
			120.319	am	(P-833)
			120.320	am	(P-833)
			120.321	am	(P-833)
			120.322	am	(P-833)
			120.323	am	(P-833)
			120.370	am	(P-6937)
			120.335	am	(P-5551)
			120.386	am	(P-159; A-5302) (E-348)
			120.390	am	(P-7468)
			120.391	am	(P-5551)
			121.31	am	(P-5551)
			121.58	am	(P-5525)
			121.63	am	(P-5525)
			121.91	am	(P-6922)
			130.400	n	(P-8114)
			130.500	am	(P-8114)
			140.3	am	(P-5585)
			140.7	am	(P-5585)
			140.11	am	(P-6949)
			140.16	am	(P-847; A-8264)
			140.413	am	(P-406; A-8264) (E-592)
			140.420	am	(P-1414)
			140.421	am	(P-1414)
			140.457	n	(P-20170/90; A-6220)

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102.70	am	(P-409; A-7202)
102.81	am	(P-409; A-7202)
104.45	am	(P-18705/90; A-5320)
104.250	am	(P-15; A-6557)
104.272	am	(P-15; A-6557)
104.304	am	(P-15; A-6557)
104.330	am	(P-15; A-6557)

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140.459	n	(P-20170/90; A-6220)	147.300	n	(P-15243/90; A-6238)
140.460	am	(P-4903)	147.305	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.461	am	(P-4903)	147.310	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.462	am	(P-4903)	147.315	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.463	am	(P-4903)	147.320	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.465	r	(P-847; A-8264)	147.325	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.475	am	(P-14317/90; O-21120/90; RC-21124/90; RC-21135/90; M-368; A-298)	147.330	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.485	am	(P-14317/90; A-298)	147.335	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.486	r	(P-14317/90; A-298)	147.340	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.487	am	(P-14317/90; A-298)	147.345	n	(P-9355/90; O-1303/90; R-3129; A-3058)
140.488	n	(P-19132/90; A-8264)	147.350	n	(P-9355/90; A-6238) (P-7501)
140.490	am	(P-14681/90; A-1051)	147.355	n	(P-9355/90; A-6238) (P-7501)
140.523	am	(P-5585)	147.360	n	(P-9355/90; A-6238) (P-7501)
140.560	am	(P-7482)	147.365	n	(P-9355/90; A-6238) (P-7501)
140.561	am	(P-7482)	147.370	n	(P-9355/90; A-6238) (P-7501)
140.562	am	(P-13963/90; O-17718/90; R-366)	147.375	n	(P-9355/90; A-6238) (P-7501)
140.569	am	(P-7834/90; A-18813/90; C-1174) (P-7834/90; O-5115; R-6789; A-6534)	147.380	n	(P-9355/90; A-6238) (P-7501)
140.646	am	(P-6949)	147.385	n	(P-9355/90; A-6238) (P-7501)
140.662	am	(P-14317/90; A-298)	147.390	n	(P-9355/90; A-6238) (P-7501)
140.7b.A	r	(P-14317/90; A-298)	147.395	n	(P-9355/90; A-6238) (P-7501)
140.7b.D	am	(P-1414)	147.400	n	(P-9355/90; A-6238) (P-7501)
141.560	am	(P-831; A-7117) (E-1121)	147.405	n	(P-9355/90; A-6238) (P-7501)
141.680	am	(P-831; A-7117) (E-1121)	147.410	n	(P-9355/90; A-6238) (P-7501)
141.760	am	(P-831; A-7117) (E-1121)	147.415	n	(P-9355/90; A-6238) (P-7501)
141.1125	am	(P-831; A-7117) (E-1121)	147.420	n	(P-9355/90; A-6238) (P-7501)
141.1200	am	(P-831; A-7117) (E-1121)	147.425	n	(P-9355/90; A-6238) (P-7501)
141.1240	am	(P-831; A-7117) (E-1121)	147.430	n	(P-9355/90; A-6238) (P-7501)
141.1520	am	(P-831; A-7117) (E-1121)	147.435	n	(P-9355/90; A-6238) (P-7501)
141.1840	am	(P-831; A-7117) (E-1121)	147.440	n	(P-9355/90; A-6238) (P-7501)
141.1880	am	(P-831; A-7117) (E-1121)	147.445	n	(P-9355/90; A-6238) (P-7501)
141.2040	am	(P-831; A-7117) (E-1121)	147.450	n	(P-9355/90; A-6238) (P-7501)
141.2400	am	(P-831; A-7117) (E-1121)	147.455	n	(P-9355/90; A-6238) (P-7501)
141.2520	am	(P-831; A-7117) (E-1121)	147.460	n	(P-9355/90; A-6238) (P-7501)
141.2640	am	(P-831; A-7117) (E-1121)	147.465	n	(P-9355/90; A-6238) (P-7501)
141.2920	am	(P-831; A-7117) (E-1121)	147.470	n	(P-9355/90; A-6238) (P-7501)
141.3320	am	(P-831; A-7117) (E-1121)	147.475	n	(P-9355/90; A-6238) (P-7501)
141.3560	am	(P-831; A-7117) (E-1121)	147.480	n	(P-9355/90; A-6238) (P-7501)
141.3600	am	(P-831; A-7117) (E-1121)	147.485	n	(P-9355/90; A-6238) (P-7501)
141.3640	am	(P-831; A-7117) (E-1121)	147.490	n	(P-9355/90; A-6238) (P-7501)
141.3720	am	(P-831; A-7117) (E-1121)	147.495	n	(P-9355/90; A-6238) (P-7501)
141.3800	am	(P-831; A-7117) (E-1121)	147.500	n	(P-9355/90; A-6238) (P-7501)
141.4240	am	(P-831; A-7117) (E-1121)	147.505	n	(P-9355/90; A-6238) (P-7501)
141.4360	am	(P-831; A-7117) (E-1121)	147.510	n	(P-9355/90; A-6238) (P-7501)
141.4520	am	(P-831; A-7117) (E-1121)	147.515	n	(P-9355/90; A-6238) (P-7501)
141.4560	am	(P-831; A-7117) (E-1121)	147.520	n	(P-9355/90; A-6238) (P-7501)
141.4680	am	(P-831; A-7117) (E-1121)	147.525	n	(P-9355/90; A-6238) (P-7501)
144.275	am	(P-816)	147.530	n	(P-9355/90; A-6238) (P-7501)
144.300	n	(P-7455)	147.535	n	(P-9355/90; A-6238) (P-7501)
144.325	n	(P-7455)	147.540	n	(P-9355/90; A-6238) (P-7501)
147.5	am	(P-19653/90; A-7162) (P-870)	147.545	am	(P-19653/90; A-7162) (P-870)
147.15	am	(P-19653/90; A-7162)	147.550	am	(P-19653/90; A-7162) (P-870)
147.25	am	(P-19653/90; A-7162)	147.555	am	(P-19653/90; A-7162) (P-870)
147.50	am	(P-19653/90; A-7162)	147.560	am	(P-19653/90; A-7162) (P-870)
147.75	am	(P-19653/90; A-7162)	147.565	am	(P-19653/90; A-7162) (P-870)
147.150	am	(P-13967/90; A-2715)	147.570	am	(P-13967/90; A-2715)
147.200	am	(P-2919)	147.575	am	(P-2919)
147.205	am	(P-13967/90; A-2715)	147.580	am	(P-13967/90; A-2715)

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505.5	am	(P-12718/90; A-7728)
505.10	am	(P-12718/90; A-7728)
505.20	#	(P-12718/90; A-7728)
505.40	am	(P-12718/90; A-7728)
505.70	am	(P-12718/90; A-7728)
505.80	am	(P-12718/90; A-7728)
505.100	am	(P-12718/90; A-7728)
515.400	n	M-4464; A-7211
515.500	n	(P-9370/90; O-17698/90;
562.30	am	(P-161)
567.20	am	(P-12731/90; A-6617)
567.30	am	(P-12731/90; A-6617)
572.90	am	(P-8541)
572.90	n	(P-11736/90; A-7370)
587.105	n	(P-11736/90; A-7370)
587.106	n	(P-11736/90; A-7370)
587.107	n	(P-11736/90; A-7370)
587.110	am	(P-11736/90; A-7370)
587.111	n	(P-11736/90; A-7370)
587.120	am	(P-11736/90; A-7370)
592.50	am	(P-12257/90; A-5757)
592.75	am	(P-12257/90; A-5757)
592.80	am	(P-12257/90; A-5757)
592.85	n	(P-12257/90; A-5757)
617.20	am	(P-9385/90; A-7347)
617.30	am	(P-7885)
617.50	am	(P-9385/90; A-7347)
617.55	am	(P-9385/90; A-7347)
617.60	am	(P-9385/90; A-7347)
617.70	r	(P-7885)
650.1	n	(P-6725/90; A-2794)
650.10	n	(P-6683/90; A-2740)
650.10	n	(P-6725/90; A-2794)
650.20	n	(P-6683/90; A-2740)
650.20	n	(P-6725/90; A-2794)
650.30	n	(P-6683/90; A-2740)
650.30	n	(P-6683/90; A-2740)
650.40	n	(P-6725/90; A-2794)
650.40	n	(P-6683/90; A-2740)
650.40	n	(P-6725/90; A-2794)
650.50	n	(P-6683/90; A-2740)
650.50	n	(P-6725/90; A-2794)
650.60	r	(P-6725/90; A-2794)
650.60	n	(P-6683/90; A-2740)
650.60	r	(P-6725/90; A-2794)
650.70	n	(P-6683/90; A-2740)
650.70	n	(P-6725/90; A-2794)
650.70	n	(P-6683/90; A-2740)
650.90	n	(P-6683/90; A-2740)
650.90	n	(P-6725/90; A-2794)
650.100	r	(P-6683/90; A-2740)
650.100	n	(P-6725/90; A-2794)
650.110	n	(P-6683/90; A-2740)
650.120	n	(P-6683/90; A-2740)
650.130	n	(P-6683/90; A-2740)
650.140	n	(P-6683/90; A-2740)
650.150	n	(P-6683/90; A-2740)
650.160	n	(P-6683/90; A-2740)
650.200	r	(P-6725/90; A-2794)
650.500	r	(P-6725/90; A-2794)
650.600	r	(P-6725/90; A-2794)
650.700	r	(P-6725/90; A-2794)
650.1000	n	(P-6725/90; A-2794)
650 Ap B	r	(P-6725/90; A-2794)

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530.40	n	(P-2940)	530.460	n	(P-2940)
530.50	n	(P-2940)	530.470	n	(P-2940)
530.60	n	(P-2940)	530.480	n	(P-2940)
530.100	n	(P-2940)	530.500	n	(P-2940)
530.101	r	(P-3003)	530.501	r	(P-3003)
530.102	r	(P-3003)	530.502	r	(P-3003)
530.103	r	(P-3003)	530.503	r	(P-3003)
530.104	r	(P-3003)	530.510	n	(P-2940)
530.105	r	(P-3003)	530.520	n	(P-2940)
530.106	r	(P-3003)	530.530	n	(P-2940)
530.107	r	(P-3003)	530.600	n	(P-2940)
530.108	r	(P-3003)	530.601	r	(P-3003)
530.109	r	(P-3003)	530.602	r	(P-3003)
530.110	n	(P-2940)	530.603	r	(P-3003)
530.111	r	(P-3003)	530.610	n	(P-2940)
530.112	r	(P-3003)	530.700	n	(P-2940)
530.113	r	(P-3003)	530.701	r	(P-3003)
530.114	r	(P-3003)	530.702	r	(P-3003)
530.115	r	(P-3003)	530.710	n	(P-2940)
530.116	r	(P-3003)	530.800	n	(P-2940)
530.117	r	(P-3003)	530.801	r	(P-3003)
530.118	r	(P-3003)	530.802	r	(P-3003)
530.119	r	(P-3003)	530.803	r	(P-3003)
530.120	n	(P-2940)	530.804	r	(P-3003)
530.121	r	(P-3003)	530.810	n	(P-2940)
530.122	r	(P-3003)	530.820	n	(P-2940)
530.123	r	(P-3003)	530.830	n	(P-2940)
530.130	n	(P-2940)	530.840	n	(P-2940)
530.140	n	(P-2940)	530.900	n	(P-2940)
530.150	n	(P-2940)	530.901	r	(P-3003)
530.200	n	(P-2940)	530.902	r	(P-3003)
530.201	r	(P-3003)	530.903	r	(P-3003)
530.202	r	(P-3003)	530.904	r	(P-3003)
530.203	r	(P-3003)	530.905	r	(P-3003)
530.210	n	(P-2940)	530.906	r	(P-3003)
530.220	n	(P-2940)	530.907	r	(P-3003)
530.225	n	(P-2940)	530.908	r	(P-3003)
530.230	n	(P-2940)	530.909	r	(P-3003)
530.240	n	(P-2940)	530.911	n	(P-2940)
530.250	n	(P-2940)	708.70	am	(P-8193)
530.260	n	(P-2940)	720.10	am	(P-3426)
530.270	n	(P-2940)	1010.425	n	(P-4686)
530.275	n	(P-2940)	1010.426	n	(P-4686)
530.280	n	(P-2940)	1010.426	n	(P-4686)
530.290	n	(P-2940)	1010.740	am	(P-4686)
530.300	n	(P-2940)	1040.42	am	(P-7891)
530.301	r	(P-3003)	1308.10	n	(P-8097)
530.302	r	(P-3003)	1308.20	n	(P-8097)
530.303	r	(P-3003)	1308.30	n	(P-8097)
530.310	n	(P-2940)	1311.10	n	(P-4195)
530.320	n	(P-2940)			
530.330	n	(P-2940)			
530.340	n	(P-2940)			
530.401	r	(P-3003)			
530.402	r	(P-3003)			
530.403	r	(P-3003)			
530.410	n	(P-2940)			
530.420	n	(P-2940)			
530.430	n	(P-2940)			
530.440	n	(P-2940)			

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